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Editor's Note: The Cumulative Index and Sections Affected Index will be printed on a quarterly basis. The printing schedule for the quarterly and annual indexes are as follows:

April 17, 1998 - Issue 16: Through	March 31, 1998
July 17, 1998 - Issue 29: Through	June 30, 1998
October 16, 1998 - Issue 42: Through	September 30, 1998
January 15, 1999 - Issue 3: Through	December 31, 1998 (Annual)

INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. The Register also contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current Register volume year and a Sections Affected Index listing by Title each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume year. Both indices are action coded and are designed to aid the public in monitoring rules.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State statute; and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies; is also published in the Register.

The Register is a weekly update to the *Illinois Administrative Code* (a compilation of the rules adopted by State agencies). The most recent edition of the Code along with the Register comprise the most current accounting of State agencies' rules.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1 et seq.].

REGISTER PUBLICATION SCHEDULE 1998

Material Rec'd before 4:30 p.m. on:	Will be in Issue #:	Published on:
July 13, 1998	30	July 24, 1998
July 20, 1998	31	July 31, 1998
July 28, 1998	32	Aug. 7, 1998
Aug. 3, 1998	33	Aug. 14, 1998
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Dec. 7, 1998	51	Dec. 18, 1998
Dec. 14, 1998	52	Dec. 28, 1998
Dec. 21, 1998	1	Jan. 4, 1999
Dec. 28, 1998	2	Jan. 8, 1999

*Please note: If the state holiday falls on a Monday, the deadline will be 12 noon on Tuesday (the next day).

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3) Section Numbers:
310.Appendix A, Table S Proposed Action:
Amend
- 4) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].
- 5) A Complete Description of the Subjects and Issues Involved: In Section 310.Appendix A, Table S HR-012 (Fair Employment Practices Employees, SEIU), the salary ranges for the Human Rights Investigators I, II and III are being corrected for July 1998 and July 1999.
- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain any incorporations by reference? No
- 9) Are there any proposed amendments pending to this Part? Yes

Section Numbers	Proposed Action	Ill. Reg. Citation
310.110	Amended	22 Ill. Reg. 12422
310.130	Amended	22 Ill. Reg. 12422
310.290	Amended	22 Ill. Reg. 12422
310.450	Amended	22 Ill. Reg. 12422
310.495	Amended	22 Ill. Reg. 12422
310.530	Amended	22 Ill. Reg. 12422
310.540	Amended	22 Ill. Reg. 12422
310.Appendix B	Amended	22 Ill. Reg. 12422
310.Appendix C	Amended	22 Ill. Reg. 12422
310.Appendix D	Amended	22 Ill. Reg. 12422
310.Appendix G	Amended	22 Ill. Reg. 12422
310.230	Amended	22 Ill. Reg. 16397
310.270	Amended	22 Ill. Reg. 16397
310.280	Amended	22 Ill. Reg. 16397
310.Appendix G	Amended	22 Ill. Reg. 16397

- 10) Statement of Statewide Objectives: These amendments to the Pay Plan pertain only to State employees subject to the Personnel Code and do not set out any guidelines that are to be followed by local or other jurisdictional bodies within the State.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

Mr. Michael Murphy
Department of Central Management Services
Division of Technical Services
504 William G. Stratton Building
Springfield, Illinois 62706
(217) 782-5601

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None. The Department of Central Management Services' Pay Plan extends only to Personnel Code employees under the jurisdiction of the Governor.

B) Reporting, bookkeeping or other procedures required for compliance:
None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: July 1998

The full text of the Proposed Amendment(s) begins on the next page.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
 SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
 POSITION CLASSIFICATIONS
 CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
 PAY PLAN

SUBPART A: NARRATIVE

Section
 310.20 Policy and Responsibilities
 310.30 Jurisdiction
 310.40 Pay Schedules
 310.50 Definitions
 310.60 Conversion of Base Salary to Pay Period Units
 310.70 Conversion of Base Salary to Daily or Hourly Equivalents
 310.80 Increases in Pay
 310.90 Decreases in Pay
 310.100 Other Pay Provisions
 310.110 Implementation of Pay Plan Changes for Fiscal Year 1998
 310.120 Interpretation and Application of Pay Plan
 310.130 Effective Date
 310.140 Reinstitution of Within Grade Salary Increases (Repealed)
 310.150 Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, Effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section
 310.205 Introduction
 310.210 Prevailing Rate
 310.220 Negotiated Rate
 310.230 Part-Time Daily or Hourly Special Services Rate
 310.240 Hourly Rate
 310.250 Member, Patient and Inmate Rate
 310.260 Trainee Rate
 310.270 Legislated and Contracted Rate
 310.280 Designated Rate
 310.290 Out-of-State or Foreign Service Rate
 310.300 Educator Schedule for RC-063 and HR-010
 310.310 Physician Specialist Rate
 310.320 Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections
 310.330 Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

Section
 310.410 Jurisdiction
 310.420 Objectives
 310.430 Responsibilities
 310.440 Merit Compensation Salary Schedule
 310.450 Procedures for Determining Annual Merit Increases
 310.455 Intermittent Merit Increase
 310.456 Merit Zone (Repealed)
 310.460 Other Pay Increases
 310.470 Adjustment
 310.480 Decreases in Pay
 310.490 Other Pay Provisions
 310.495 Broad-Band Pay Range Classes
 310.500 Definitions
 310.510 Conversion of Base Salary to Pay Period Units
 310.520 Conversion of Base Salary to Daily or Hourly Equivalents
 310.530 Implementation
 310.540 Annual Merit Increase Guidechart for Fiscal Year 1998
 310.550 Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)

APPENDIX A

TABLE A Negotiated Rates of Pay
 HR-190 (Department of Central Management Services - State of Illinois Building - SEIU)
 NR-916 (Department of Natural Resources, Teamsters)
 TABLE B HR-200 (Department of Labor - Chicago, Illinois - SEIU)
 TABLE C RC-069 (Firefighters, AFSCME) (Repealed)
 TABLE D HR-001 (Teamsters Local #726)
 TABLE E RC-020 (Teamsters Local #330)
 TABLE F RC-019 (Teamsters Local #25)
 TABLE G RC-045 (Automotive Mechanics, IPPE)
 TABLE H RC-006 (Corrections Employees, AFSCME)
 TABLE I RC-009 (Institutional Employees, AFSCME)
 TABLE J RC-014 (Clerical Employees, AFSCME)
 TABLE K RC-023 (Registered Nurses, INA)
 TABLE L RC-008 (Boilermakers)
 TABLE M RC-110 (Conservation Police Lodge)
 TABLE N RC-010 (Professional Legal Unit, AFSCME)
 TABLE O RC-028 (Paraprofessional Human Services Employees, AFSCME)
 TABLE P RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IPPE)
 TABLE Q RC-033 (Meat Inspectors, IPPE)
 TABLE R RC-042 (Residual Maintenance Workers, AFSCME)
 TABLE S HR-012 (Fair Employment Practices Employees, SEIU)
 TABLE T HR-010 (Teachers of Deaf, IFT)
 TABLE U HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
 TABLE V CU-500 (Corrections, Meet and Confer Employees)
 TABLE W RC-062 (Technical Employees, AFSCME)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

TABLE X	RC-063 (Professional Employees, AFSCME)
TABLE Y	RC-063 (Educators, AFSCME)
TABLE Z	RC-063 (Physicians, AFSCME)
APPENDIX B	Schedule of Salary Grades - Monthly Rates of Pay for Fiscal Year 1998
APPENDIX C	Medical Administrator Rates for Fiscal Year 1998
APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year 1998
APPENDIX E	Teaching Salary Schedule (Repealed)
APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
APPENDIX G	Broad-Band Pay Range Classes Salary Schedule for Fiscal Year 1998

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; peremptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; peremptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

Reg. 648, effective December 22, 1986; peremptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; peremptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; peremptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; peremptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; peremptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; peremptory amendment at 11 Ill. Reg. 17919, effective October 19, 1987; peremptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; peremptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; peremptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; peremptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; peremptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; peremptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; peremptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; peremptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; peremptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; peremptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; peremptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; peremptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; peremptory amendment at 15 Ill. Reg. 663,

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; peremptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; peremptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; peremptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; peremptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; peremptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; peremptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December

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NOTICE OF PROPOSED AMENDMENT

22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; peremptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; peremptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; peremptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; peremptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; peremptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; peremptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; peremptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 21 Ill. Reg. 16344, effective December 9, 1997; peremptory amendment at 21 Ill. Reg. 16465, effective December 4, 1997; peremptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997; peremptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; peremptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; peremptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; peremptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; amended at 22 Ill. Reg. 6204, effective March 12, 1998; peremptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; peremptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; peremptory amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; peremptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective August 31, 1998; peremptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; peremptory amendment at 22 Ill. Reg. 20406, effective November 5, 1998; amended at 23 Ill. Reg. _____, effective

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

Section 310.APPENDIX A Negotiated Rate of Pay

Section 310.TABLE S HR-012 (Fair Employment Practices Employees, SEIU)

Effective July 1, 1997

	1	2	3	4	5	6	7
ACCOUNT TECHNICIAN I	1884	1966	2037	2115	2189	2268	2394
ACCOUNT TECHNICIAN II	2060	2148	2228	2321	2405	2497	2636
DATA PROCESSING ASSISTANT	1689	1747	1809	1870	1931	1995	2102
DATA PROCESSING OPERATOR	1529	1581	1632	1678	1735	1782	1874
DATA PROCESSING OPERATOR TRAINEE	1447	1486	1529	1580	1625	1670	1747
HUMAN RIGHTS INVESTIGATOR I	2254	2350	2449	2559	2656	2759	2919
HUMAN RIGHTS INVESTIGATOR II	2472	2586	2704	2817	2934	3052	3232
HUMAN RIGHTS INVESTIGATOR III	2593	2717	2843	2962	3083	3208	3399
HUMAN RIGHTS SPECIALIST I	2254	2350	2449	2559	2656	2759	2919
HUMAN RIGHTS SPECIALIST II	2472	2586	2704	2817	2934	3052	3232
HUMAN RIGHTS SPECIALIST III	2593	2717	2843	2962	3083	3208	3399
OFFICE AIDE	1447	1486	1529	1580	1625	1670	1747
OFFICE ASSISTANT	1634	1689	1744	1804	1860	1920	2017
OFFICE ASSOCIATE	1747	1814	1879	1950	2013	2082	2192
OFFICE CLERK	1529	1581	1632	1678	1735	1782	1874
OFFICE COORDINATOR	1814	1882	1955	2025	2101	2173	2287
TECHNICAL ADVISOR II	2733	2866	2999	3135	3264	3394	3596
TECHNICAL ADVISOR III	3215	3380	3543	3708	3877	4038	4289

NOTE: Full-time employees will receive a one-time \$565 cash bonus.

Effective July 1, 1998

	1	2	3	4	5	6	7
Account Technician I	1941	2025	2098	2178	2255	2336	2466
Account Technician II	2122	2212	2295	2391	2477	2572	2715
Data Processing Assistant	1740	1799	1863	1926	1989	2055	2165
Data Processing Operator	1575	1628	1681	1728	1787	1835	1930
Data Processing Operator Trainee	1490	1531	1575	1627	1674	1720	1799
Human Rights Investigator I	2354	2463	2570	2675	2784	2888	3060
Human Rights Investigator II	2425	2537	2647	2755	2868	2975	3152
Human Rights Investigator III	2593	2717	2843	2962	3083	3208	3399
Human Rights Specialist I	2671	2799	2928	3051	3175	3304	3501
Human Rights Specialist II	2733	2866	2999	3135	3264	3394	3596
Human Rights Specialist III	2815	2952	3089	3229	3362	3496	3704
Office Aide	2322	2421	2522	2636	2736	2842	3007
Office Assistant	2546	2664	2785	2902	3022	3144	3329
Office Associate	1490	1531	1575	1627	1674	1720	1799
Office Associate	1683	1740	1796	1858	1916	1978	2078
Office Associate	1799	1868	1935	2009	2073	2144	2258

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

Office Clerk	1575	1628	1681	1728	1787	1835	1930
Office Coordinator	1868	1938	2014	2086	2164	2238	2356
Technical Advisor II	2815	2952	3089	3229	3362	3496	3704
Technical Advisor III	3311	3481	3649	3819	3993	4159	4418

Effective July 1, 1999

	1	2	3	4	5	6	7
Account Technician I	1999	2086	2161	2243	2323	2406	2540
Account Technician II	2186	2278	2364	2463	2551	2649	2796
Data Processing Assistant	1792	1853	1919	1984	2049	2117	2230
Data Processing Operator	1622	1677	1731	1780	1841	1890	1988
Data Processing Operator Trainee	1535	1577	1622	1676	1724	1772	1853
Human Rights Investigator I	2425	2537	2647	2755	2868	2975	3152
Human Rights Investigator II	2498	2613	2726	2838	2954	3064	3247
Human Rights Investigator III	2571	2709	2828	2951	3175	3304	3501
Human Rights Specialist I	2751	2883	3016	3143	3270	3403	3606
Human Rights Specialist II	2815	2952	3089	3229	3362	3496	3704
Human Rights Specialist III	2899	3041	3182	3326	3463	3601	3815
Office Aide	2622	2744	2869	2989	3113	3238	3429
Office Assistant	1535	1577	1622	1676	1724	1772	1853
Office Associate	1733	1792	1850	1914	1973	2037	2140
Office Clerk	1853	1924	1993	2069	2135	2208	2326
Office Coordinator	1622	1677	1731	1780	1841	1890	1988
Technical Advisor II	1924	1996	2074	2149	2229	2305	2427
Technical Advisor III	2899	3041	3182	3326	3463	3601	3815
Technical Advisor III	3410	3585	3758	3934	4113	4284	4551

(Source: Amended at 23 Ill. Reg. _____, effective _____)

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED RULES

1) Heading of the Part: Procurement

2) Code Citation: 44 Ill. Adm. Code 2600

3) Section Numbers: 2600.10
Proposed Action: New

4) Statutory Authority: Implementing P.A. 90-572 and authorized by Section 1-30(a) of the Illinois Procurement Code [30 ILCS 500] and by Section 1A-8(9) of the Election Code [10 ILCS 5/1A-8(9)].

5) A Complete Description of the Subjects and Issues Involved: Cross references rules promulgated by Central Management Services for procurement of goods and services, except where the rule referenced is on its face inapplicable to the State Board of Elections or is explicitly contradicted by this emergency rule.

6) Will this proposed rule replace an emergency rule currently in effect?
Yes

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed rule contain incorporations by reference? Yes

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: The rule proposed neither creates nor expands State mandates for unit of local government

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

State Board of Elections
A. L. Zimmer, General Counsel
James R. Thompson Center
100 West Randolph Street
Suite 14-100
Chicago IL 60601
(312) 814-6477

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Attorneys, accountants, office supply houses, computer consultants, vendors of miscellaneous services

B) Reporting, bookkeeping or other procedures required for compliance:
Those required by the Illinois Procurement Code

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED RULES

C) Types of professional skills necessary for compliance: Those required by the Illinois Procurement Code

13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: Until advised to the contrary by the staff of the Joint Committee on Administrative Rules, the State Board of Elections assumed it was governed by the rules adopted by Central Management Services respecting purchasing.

The text of the proposed rules is the same as the emergency rule published in this Register on Page 20644.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

1) Heading of the Part: Sport Fishing Regulations for the Waters of Illinois2) Code Citation: 17 Ill. Adm. Code 8103) Section Numbers: Proposed Action:

810.37 Amendments
 810.45 Amendments
 810.70 Amendments
 810.90 Amendments

4) Statutory Authority: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5]

5) A Complete Description of the Subjects and Issues Involved: Based on the results of biological surveys and subsequent data analyses, the Department has determined that these amendments are necessary for the maintenance and/or production of quality fisheries in State-managed waters. The amendments include defining individual site specific fishing regulations referred to by numbers listed in parenthesis in Section 810.45; amending individual site specific fishing regulations by water area; identifying the 1999 dates for the Free Fishing Days event; and listing rules regarding fishing tournament permits.

6) Will this rulemaking replace any emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price
 Department of Natural Resources
 524 S. Second Street
 Springfield IL 62701-1787
 217/782-1809

DEPARTMENT OF NATURAL RESOURCES

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12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: There is no effect on small businesses, small municipalities and not for profit corporations.

B) Reporting, bookkeeping or other procedures required for compliance:
 None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rule was summarized: July 1998

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 17: CONSERVATION

CHAPTER I: DEPARTMENT OF NATURAL RESOURCES

SUBCHAPTER b: FISH AND WILDLIFE

PART 810

SPORT FISHING REGULATIONS FOR THE WATERS OF ILLINOIS

Section

810.10	Sale of Fish and Fishing Seasons
810.20	Snagging
810.30	Pole and Line Fishing Only (Repealed)
810.35	Statewide Sportfishing Regulations - Daily Catch and Size Limits
810.37	Definitions for Site Specific Sportfishing Regulations
810.40	Daily Catch and Size Limits (Repealed)
810.45	Site Specific Water Area Regulations
810.50	Bait Fishing
810.60	Bullfrogs (Repealed)
810.70	Free Fishing Days
810.80	Emergency Protective Regulations
810.90	Fishing Tournament Permit
810.100	Bed Protection

AUTHORITY: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5].

SOURCE: Adopted at 5 Ill. Reg. 751, effective January 8, 1981; codified at 5 Ill. Reg. 10647; amended at 6 Ill. Reg. 342, effective December 23, 1981; amended at 6 Ill. Reg. 7411, effective June 11, 1982; amended at 7 Ill. Reg. 209, effective December 22, 1982; amended at 8 Ill. Reg. 1564, effective January 23, 1984; amended at 8 Ill. Reg. 16769, effective August 30, 1984; amended at 9 Ill. Reg. 2916, effective February 26, 1985; emergency amendment at 9 Ill. Reg. 3825, effective March 13, 1985, for a maximum of 150 days; emergency expired August 10, 1985; amended at 9 Ill. Reg. 6181, effective April 24, 1985; amended at 9 Ill. Reg. 14291, effective September 5, 1985; amended at 10 Ill. Reg. 4835, effective March 6, 1986; amended at 11 Ill. Reg. 4638, effective March 10, 1987; amended at 12 Ill. Reg. 5306, effective March 8, 1988; emergency amendment at 12 Ill. Reg. 6981, effective April 4, 1988, for a maximum of 150 days; emergency expired September 1, 1988; emergency amendment at 12 Ill. Reg. 10525, effective June 7, 1988, for a maximum of 150 days; emergency expired November 4, 1988; amended at 12 Ill. Reg. 15982, effective September 27, 1988; amended at 13 Ill. Reg. 8419, effective May 19, 1989; emergency amendment at 13 Ill. Reg. 12643, effective July 14, 1989, for a maximum of 150 days; emergency expired December 11, 1989; emergency amendment at 13 Ill. Reg. 14085, effective September 4, 1989, for a maximum of 150 days; emergency expired February 1, 1990; emergency amendment at 13 Ill. Reg. 15118,

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effective September 11, 1989, for a maximum of 150 days; emergency expired February 8, 1990; amended at 14 Ill. Reg. 6164, effective April 17, 1990; emergency amendment at 14 Ill. Reg. 6865, effective April 17, 1990, for a maximum of 150 days; emergency expired September 19, 1990; amended at 14 Ill. Reg. 8588, effective May 21, 1990; amended at 14 Ill. Reg. 16863, effective October 1, 1990; amended at 15 Ill. Reg. 4699, effective March 18, 1991; emergency amendment at 15 Ill. Reg. 5430, effective March 27, 1991, for a maximum of 150 days; emergency expired August 24, 1991; amended at 15 Ill. Reg. 9777, effective June 24, 1991; amended at 15 Ill. Reg. 13347, effective September 3, 1991; amended at 16 Ill. Reg. 5267, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 6016, effective March 25, 1992, for a maximum of 150 days; emergency expired August 22, 1992; amended at 16 Ill. Reg. 12526, effective July 28, 1992; amended at 17 Ill. Reg. 3853, effective March 15, 1993; emergency amendment at 17 Ill. Reg. 5915, effective March 25, 1993, for a maximum of 150 days; emergency expired August 22, 1993; amended at 17 Ill. Reg. 10806, effective July 1, 1993; amended at 18 Ill. Reg. 3277, effective February 28, 1994; emergency amendment at 18 Ill. Reg. 5667, effective March 25, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 12652, effective August 9, 1994; amended at 19 Ill. Reg. 2396, effective February 17, 1995; emergency amendment at 19 Ill. Reg. 5262, effective April 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10614, effective July 1, 1995; amended at 20 Ill. Reg. 4640, effective March 6, 1996; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 21 Ill. Reg. 9389; amended at 21 Ill. Reg. 4709, effective April 1, 1997; emergency amendment at 21 Ill. Reg. 5590, effective April 15, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 12140, effective August 26, 1997; amended at 22 Ill. Reg. 4930, effective March 2, 1998; amended at 23 Ill. Reg. _____, effective _____.

Section 810.37 Definitions for Site Specific Sportfishing Regulations

- a) Site Specific Regulations are listed by water area affected. The coverage of the regulation is dictated by the extent of the water area listed and not by the county. In some cases, regulations for a given water area or site may extend beyond the county(ies) listed. The county(ies) listed refer to the location of the dam or outfall for impoundments or mouths of small streams. Since large rivers or streams usually flow through many counties, the term "Multiple" is used rather than listing all counties where the large stream or river flows.
- b) The subsections listed below are referred to by number in Section 810.45. Each water area listed in Section 810.45 has numbers in parenthesis which explain all of the definitions in this Section which apply to that water area.
 - 1) Anglers must not use more than 2 poles and each pole must not have more than 2 hooks or lures attached while fishing, except that legal size cast nets, (in accordance with subsection 810.50(a)(1)) shad scoops, and minnow seines may be used to obtain shad, minnows, and crayfish to use as bait, provided that

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- they are not sold.
- 2) Possession of yellow perch under 8 inches in total length or over 10 inches in total length is prohibited. Only yellow perch 8 to 10 inches in total length may be harvested.
 - 3) All largemouth and smallmouth bass taken must be less than 12 inches in total length or greater than 15 inches in total length.
 - 4) Except that sport fishermen shall be allowed to use trotlines and jugs, and except that the use and aid of underwater breathing devices is prohibited. West of Wolf Creek Road, fishing from boats is permitted all year. Trotlines/jugs must be removed from sunrise until sunset from Memorial Day through Labor Day. East of Wolf Creek Road, fishing from boats is permitted from March 15 through September 30. Fishing from the bank is permitted all year only at the Wolf Creek and Route 148 causeways. On the entire lake, jugs and trotlines must be checked daily and must be removed on the last day they are used. It is illegal to use stakes to anchor any trotlines; they must be anchored only with portable weights and must be removed on the last day they are used. The taking of carp and buffalo with bow and arrow is permissible.
 - 5) Except that sport fishermen may take carp, carpsuckers, buffalo, gar, bowfin and suckers by pitchfork, gigs, bow and arrow or bow and arrow devices.
 - 6) Including the Fox River south of the Illinois-Wisconsin line to the McHenry Dam.
 - 7) Except that sport fishermen may take carp, buffalo, suckers and gar by bow and arrow or bow and arrow devices, gigs or spears during May and June.
 - 8) Daily catch limit includes Striped Bass, White Bass, Yellow Bass and Hybrid Striped Bass either singly or in the aggregate.
 - 9) Catch and Release Fishing Only means that fish (all or identified species) caught must be immediately released alive and in good condition back into the water from which it came.
 - 10) It shall be illegal to process trout during the period of October 1 to 5 a.m. on the third Saturday in October (both dates inclusive) which were taken during that period.
 - 11) It shall be illegal to possess trout during the period of March 15 to 5 a.m. on the 1st Saturday in April (both dates inclusive) which were taken during that period.
 - 12) Daily catch limit for largemouth or smallmouth bass, singly or in the aggregate, shall not exceed 6 fish per day, no more than one of which shall be greater than 15 inches in length and none of which shall be greater than 12 inches and less than or equal to 15 inches in length.
 - 13) Except that jug fishing is permitted from the hours of sunset to sunrise, and except that carp and buffalo may be taken by bow and arrow devices from May 1 through September 30. All jugs must have owner's/user's name and complete address affixed.

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- 14) Daily catch limit includes all fish species (either singly or in the aggregate) caught within each of the following fish groupings.
 - A) Largemouth or Smallmouth Bass
 - B) Walleye, Sauger, or their hybrid
 - C) Bluegill or Redear Sunfish
- 15) Daily catch limit includes white, black, or hybrid crappie either singly or in the aggregate.
- 16) Daily catch limit includes Striped Bass, White Bass and Hybrid Striped Bass either singly or in the aggregate.
- 17) Daily catch limit shall not exceed 10 fish daily, no more than 3 of which may be 17 inches or longer in length.
- 18) Except that sport fishermen shall be allowed to use trout lines, jugs and bank poles in the portions of the lake that lie north of the Davenport Bridge and northeast of the Parnell Bridge.
- 19) No fishing within 250 yards of an occupied waterfowl blind (within the hunting area) on all Department-owned or -managed sites.
- 20) Carlyle Lake (including its tributary streams and those portions of the Kaskaskia River and Hurricane Creek up the U.S. Army Corps of Engineers Carlyle Lake Project boundaries), U.S. Army Corps of Engineers, Bond, Clinton, and Fayette Counties.
- 21) Lake Shelbyville (including its tributary streams and those portions of the West Okaw and Kaskaskia Rivers up to Lake Shelbyville Project boundaries), U.S. Army Corps of Engineers, Shelby and Moultrie Counties.
- 22) Rend Lake (including its tributary streams and those portions of the Big Muddy and Casey Fork Rivers up to the Rend Lake Project boundaries), Rend Lake Project Ponds, U.S. Army Corps of Engineers, Franklin and Jefferson Counties.
- 23) Lake Vermillion and the portion of the North Fork of the Vermillion River between the Lake Vermillion Dam and the Interstate Water Company's Pump Station Spillway, Vermillion County Conservation District, Vermillion County.
- 24) 10 Fish Daily Creel Limit of which no more than 6 may be walleye.
- 25) Daily catch limit for largemouth or smallmouth bass, singly or in the aggregate, shall not exceed 3 fish per day, no more than one of which may be equal to or greater than 15 inches in total length and no more than 2 of which may be less than 15 inches in total length.
- 26) Lake Vermillion - Trot line and jug finishing allowed north of Boiling Springs Road.
- 27) Except that bank fishing is prohibited. Boat fishing is permitted May 1 through August 31 during the hours of 2:00 p.m. to 8:00 p.m. See site for additional regulations and exact opening and closing dates. ~~from the next--to--last--Saturday--in April--until--the--second--Sunday--in--October--during the hours of 6:00 a.m.--to--10:00 a.m.--and--3:00 p.m.--to--8:00 p.m.~~

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- 28) Except that trotlines may be set within 300 feet from shore.
- 29) Except that carp, buffalo, suckers and carpsuckers may be taken by means of pitchfork and gigs (no bow and arrow devices).
- 30) Fishing is permitted from March 15 through September 30, both dates inclusive, from sunrise to sunset. Fishing during all other times of the year is illegal and not permitted.
- 31) Daily catch limit for largemouth or smallmouth bass, singly or in the aggregate, shall not exceed 3 fish daily, no more than one of which may be equal to or greater than 15 inches in total length and no more than 2 of which may be less than 12 inches in total length.
- 32) Daily catch limit includes Striped Bass, White Bass, Yellow Bass and Hybrid Striped Bass, either singly or in the aggregate, no more than 4 of which may be 15 inches or longer in length.
- 33) It shall be unlawful to enter upon a designated waterfowl hunting area during the 7 days prior to the regular duck season, or to fish on such areas during the regular duck season except in areas posted as open to fishing. It shall be unlawful to enter upon areas designated as waterfowl rest areas or refuges from 2 weeks prior to the start of the regular duck season through the end of duck and Canada goose season.
- 34) Except that sport fishermen may take carp, buffalo, suckers and gar by bow and arrow or bow and arrow devices, gigs, or spears from May 1 through August 31.
- 35) Daily catch limit for Walleye, Sauger, or Hybrid Walleye, singly or in the aggregate, shall not exceed 3 fish daily, no more than one of which may be greater than 24 inches in total length and no more than 2 of which may be less than 18 inches in total length and greater than or equal to 14 inches in total length.
- 36) Except that sportfishermen may not use a minnow seine for bait collecting in Cook County Forest Preserve District Waters (except in the Des Plaines River).
- 37) All largemouth and smallmouth bass taken must be less than 12 inches in total length or greater than 16 inches in total length. Only 1 bass greater than 16 inches and 2 bass less than 12 inches may be taken in the creel daily.
- 38) All largemouth and smallmouth bass taken must be less than 14 inches in total length or greater than 18 inches in total length. Only 1 bass greater than 18 inches and 5 bass less than 14 inches may be taken in the creel daily.
- 39) Powerton Lake shall be closed to boat traffic, except for legal waterfowl hunters, from one week prior to regular waterfowl season to February 15, and closed to all unauthorized entry during the regular Canada goose and duck season.
- 40) The 48 inch total length limit on pure muskellunge applies to that body of water listed as well any tailwaters as defined below:

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Evergreen Lake (McLean County) - including the portion of Six Mile Creek below the Evergreen Lake Dam downstream to its confluence with the Mackinaw River.

Fox Chain O' Lakes (Lake/McHenry Counties) - including those portions of the Fox River below the McHenry Dam downstream to the Route 176 Bridge and upstream to the Wisconsin - Illinois State line.

Kinkaid Lake (Jackson County) - including the portion of Kinkaid Creek below the Kinkaid Lake Dam downstream to the Route 149 Bridge.

Lake Shelbyville (Moultrie/Shelby Counties) - including the portion of the Kaskaskia River below the Lake Shelbyville Dam downstream to the State Route 128 Road Bridge near Cowden.

Lake Vermilion (Vermilion County) - including the portion of the North Fork of the Vermilion River below the Lake Vermilion Dam downstream to its confluence with the Vermilion River.

Otter Lake (Macoupin County) - including the portion of Otter Creek below Otter Lake Dam downstream to its confluence with East Otter Creek.

Pierce Lake (Winnebago County) - including the portion of Willow Creek below the Pierce Lake Dam downstream to Forest Hills Road.

Shabbona Lake (DeKalb County) - including that portion of Indian Creek below the Shabbona Lake Dam downstream to Shabbona Grove Road.

Spring Lakes (North and South) (Tazewell County) - no tailwaters.

41) It shall be unlawful to enter upon areas designated as waterfowl hunting areas during the 7 days prior to the start of the regular duck season, or to fish on such areas during the regular duck season except in areas posted as open to fishing. It shall be unlawful to enter upon areas designated as waterfowl rest areas or refuges from 10 days prior to the start of the regular duck season through the end of duck and Canada goose season.

42) During duck season, walk-in only access for fishing from the bank is permitted after 1:00 p.m.

(Source: Amended at 23 Ill. Reg. _____, effective _____)

Section 810.45 Site Specific Water Area Regulations

DEPARTMENT OF NATURAL RESOURCES

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Fishing regulations, including species of fish, fishing methods and daily catch limits are listed for each water area. The numbers in parenthesis refer to the corresponding numbered definitions in Section 810.37 of this Part. If a water area is not listed or if a specific species is not listed, then state-wide restrictions apply. Check the bulletin boards at the specific site for any emergency changes to regulations.

Allison Lake, City of Lincoln

Logan County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Anderson Lake Fish and Wildlife Area (33)

Fulton County

Andover Lake, City of Andover

Henry County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Apple River

Jo Daviess County

Trout

- Spring Closed Season (11)

Apple River Basin - Special Management Zone (within the boundaries of Apple River Canyon State Park, including tributaries)

Jo Daviess County

All Fish

- 2 Pole and Line Fishing Only (1)
- 14" Minimum Length Limit

Large or Smallmouth Bass

Argyle Lake, Argyle Lake State Park

McDonough County

All Fish

- 2 Pole and Line Fishing Only (1)

Bluegill or Redear

Sunfish (14)

Channel Catfish

Large or Smallmouth Bass (14)

- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 1 Fish more than 15" and/or 5 less than 12" Daily (12)
- Fall Closed Season (10)

Trout

White, Black, or Hybrid

Crappie (15)

White, Black, or Hybrid

Crappie

- 10 Fish Daily Creel Limit
- 9" Minimum Length Limit

Ashland City Reservoir, City of Ashland

Cass County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

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Large or Smallmouth Bass

- 15" Minimum Length Limit

Ashley Reservoir, City of Ashley

Washington County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length

Large or Smallmouth Bass

Auburn Park Lagoon, Chicago Park District

Cook County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Axehead Lake, Cook County Forest Preserve

Cook County

All Fish

- 2 Pole and Line Fishing Only (1)
- (36)
- 14" Minimum Length Limit
- Fall Closed Season (10)
- Spring Closed Season (11)

Large or Smallmouth Bass

Trout

Trout

Baker Lake, City of Peru

LaSalle County

All Fish

Bluegill or Redear Sunfish (14)

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

- 1 Fish Daily Creel Limit

Baldwin Lake, Baldwin Lake Conservation Area

Randolph County

All Fish

- 2 Pole and Line Fishing Only (1)(5)
- 18" Minimum Length Limit

Large or Smallmouth Bass

Striped, White, or Hybrid

Striped Bass

Striped, White, or Hybrid

Striped Bass (16)

White, Black, or Hybrid

Crappie (15)

White, Black, or Hybrid

Crappie

- 25 Fish Daily Creel Limit
- 9" Minimum Length Limit

Banana Lake, Lake County Forest Preserve District

Lake County

All Fish

Channel Catfish

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit

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Large or Smallmouth Bass	- 15" Minimum Length Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)
Banner Marsh Lake & Ponds, Banner Marsh State Fish and Wildlife Area (33)	
Peoria/Fulton Counties	
All Fish	- 2 Pole and Line Fishing Only (1)(34)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
White, Black, or Hybrid	
Crappie (15)	- 25 Fish Daily Creel Limit
White, Black, or Hybrid	
Crappie	- 9" Minimum Length Limit
Batchtown Wildlife Management Area (33)	
Calhoun County	
Baumann Park Lake, City of Cherry Valley	
Winnebago County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Beall Woods Lake, Beall Woods Conservation Area	
Wabash County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Trout	- Spring Closed Season (11)
Trout	- Fall Closed Season (10)
Beaver Dam Lake, Beaver Dam State Park	
Macoupin County	
All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)
White, Black, or Hybrid	
Crappie (15)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid	
Crappie	- 9" Minimum Length Limit

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Beck Lake, Cook County Forest Preserve District	
Cook County	
All Fish	- 2 Pole and Line Fishing Only (1)(36)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Walleye, Sauger, or Hybrid	
Walleye	- 18" Minimum Length Limit
Belk Park Pond, City of Wood River	
Madison County	
Channel Catfish	- 6 Fish Daily Creel Limit
Belleau Lake, Cook County Forest Preserve District	
Cook County	
All Fish	- 2 Pole and Line Fishing Only (36)
Large or Smallmouth Bass	- 14" Minimum Length Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)
Bevier Lagoon, Waukegan Park District	
Lake County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Bird Park Quarry, City of Kankakee	
Kankakee County	
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)
Bowen Lake, City of Washington	
Tazewell County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Borah Lake, City of Olney	
Richland County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Boston Pond, Stephen A. Forbes State Park	
Marion County	
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

Braidwood Lake State Fish and Wildlife Area (41)

Will County
Braidwood Lake is closed to all fishing and boat traffic, except for legal waterfowl hunters, from 10 days prior to duck season through the day before duck season and is closed to all fishing during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season)

- All Fish
 - 2 Pole and Line Fishing Only (1)
 - 15" Minimum Length Limit
- Large or Smallmouth Bass (14)
 - 3 Fish Daily Creel Limit
- Striped, White, or Hybrid Striped Bass
 - 17" Minimum Length Limit
- Striped, White, or Hybrid Striped Bass (16)
 - 3 Fish Daily Creel Limit
- White, Black, or Hybrid Crappie (15)
 - 10 Fish Daily Creel Limit

Breeze JC's Park Pond, City of Breeze

- Clinton County
 - All Fish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - Channel Catfish
 - 15" Minimum Length Limit
 - Large or Smallmouth Bass (14)
 - 3 Fish Daily Creel Limit

Buckner City Reservoir, City of Buckner

- Franklin County
 - All Fish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - Channel Catfish
 - 15" Minimum Length Limit
 - Large or Smallmouth Bass

Bullfrog Lake, Cook County Forest Preserve District

- Cook County
 - All Fish
 - 2 Pole and Line Fishing Only (1)(36)
 - 14" Minimum Length Limit
 - Large or Smallmouth Bass
 - 8" Minimum Length Limit
 - Bluegill or Redear Sunfish
 - 10 Fish Daily Creel Limit

Bunker Hill Lake, City of Bunker Hill

- Macoupin County
 - All Fish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - Channel Catfish

Burrells Wood Park Pond
White County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

Channel Catfish

- 6 Fish Daily Creel Limit

Busse Lake, Cook County Forest Preserve

Cook County

- 2 Pole and Line Fishing Only (1)

All Fish

- 8" Minimum Length Limit

Bluegill or Redear Sunfish

- 10 Fish Daily Creel Limit

Sunfish (14)

- 6 Fish Daily Creel Limit

Channel Catfish

- 14" Minimum Length Limit

Large or Smallmouth Bass

- 18" Minimum Length Limit

Walleye, Sauger, or Hybrid Walleye

- 18" Minimum Length Limit

Cache River State Natural Area (19)

Pulaski/Johnson Counties

Calhoun Point Wildlife Management Area (33)

Calhoun County

Calumet River

Cook County

Yellow Perch

Yellow Perch

- 15 Fish Daily Creel Limit
- 8" to 10" Harvest Slot Length Limit (2) - Possession of Yellow Perch under 8" or over 10" is prohibited
- Closed During June

Campbell Pond Wildlife Management Area (19)

Jackson County

Yellow Perch

Campus Lake - Southern Illinois University, State of Illinois

Jackson County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Campus Pond - Eastern Illinois University, State of Illinois

Coles County

All Fish

Channel Catfish

Trout

Trout

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Fall Closed Season (10)
- Spring Closed Season (11)

Canton Lake, City of Canton

Fulton County

All Fish

Channel Catfish

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Carbondale City Reservoir, City of Carbondale
 Jackson County
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Carlinville Lake #2, City of Carlinville
 Macoupin County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
- Carlyle Lake, U.S. Army Corps of Engineers (20) (33)
 Clinton County
 Large or Smallmouth Bass - 14" Minimum Length Limit
 White, Black, or Hybrid
 Crappie (15) - 10 Fish Daily Creel Limit
 White, Black, or Hybrid - 10" Minimum Length Limit
 Crappie
- Carthage Lake, City of Carthage
 Hancock County
 Channel Catfish - 6 Fish Daily Creel Limit
- Cedar Lake, U.S. Forest Service and
 City of Carbondale
 Jackson County (19)
 All Fish - 2 Pole and Line Fishing Only (1)
 (5)
 Large or Smallmouth Bass - 14"-18" Protected Slot Length Limit (no possession)
 Large or Smallmouth Bass - 2 Fish Under 14" and 2 Fish Over 18" Daily Creel Limit
 Striped, White, or Hybrid - 17" Minimum Length Limit
 Striped Bass - 3 Fish Daily Creel Limit
 Striped, White, or Hybrid
 Striped Bass (16)
- Centralia Foundation Park Catfish Pond, Centralia Park Foundation
 Marion County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
- Centralia Lake, City of Centralia
 Marion County
 Large or Smallmouth Bass - 15" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- Cermack Quarry, Cook County Forest Preserve District
 Cook County
 All Fish - 2 Pole and Line Fishing Only (1)(36)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
- Champaign Park District Lakes (Kaufman Lake, Heritage Lake, and Mattis Lake), Champaign Park District
 Champaign County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Charleston Lower Channel Lake, City of Charleston
 Coles County
 All Fish - 2 Pole and Line Fishing Only (1)
- Charleston Side Channel Lake, City of Charleston
 Coles County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 2 Pole and Line Fishing Only (1)
 Large or Smallmouth Bass - 6 Fish Daily Creel Limit
 Striped, White, or Hybrid - 14" Minimum Length Limit
 Striped Bass - 17" Minimum Length Limit
 Striped, White, or Hybrid - 3 Fish Daily Creel Limit
 Striped Bass (16)
- Charlie Brown Lake & Pond, City of Flora
 Clay County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
- Charter Oak North - Peoria Park District Lake, Peoria Park District
 Peoria County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Charter Oak South - Peoria Park District Pond, Peoria Park District
 Peoria County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

Large or Smallmouth Bass 15" Minimum Length Limit
 Large or Smallmouth Bass (14) 1 Fish Daily Creel Limit

Chauncey Marsh (19)
 Lawrence County

Chicago River (including its North Branch, South Branch, and the North Shore Channel)
 Cook County

Yellow Perch - 15 Fish Daily Creel Limit
 Yellow Perch - 8" to 10" Harvest Slot Length Limit (2) - Possession of Yellow Perch Under 8" or over 10" is Prohibited
 Yellow Perch - Closed During June

Chenoa City Lake, City of Chenoa
 McLean County

- 2 Pole and Line Fishing Only (1)

Citizen's Lake, City of Monmouth
 Warren County

All Fish - 2 Pole and Line Fishing Only (1)
 Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
 Trout - Fall Closed Season (10)

Clear Lake, Kickapoo State Park
 Vermillion County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Trout - Fall Closed Season (10)
 Trout - Spring Closed Season (11)

Clinton Lake, Clinton Lake State Recreation Area (19)
 Dewitt County

All Fish - 2 Pole and Line Fishing Only (1)(19)
 Large or Smallmouth Bass - 16 1/4" Minimum Length Limit
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Striped-White-or-Hybrid
 Striped-Bass
 Striped, White, or Hybrid
 Striped Bass (16)

--17" Minimum Length Limit

- 10 Creel/3 Fish 17" or Longer Daily

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

(17) 3-Fish-Daily-Creel-Limit
 White, Black, or Hybrid - 15 Fish Daily Creel Limit
 Crappie (15)
 White, Black, or Hybrid - 9" Minimum Length Limit
 Crappie

Coffee Lake, Coffee Lake State Fish and Wildlife Area
 Montgomery County

Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
 White, Black, or Hybrid - 10 Fish Daily Creel Limit
 Crappie (15)
 White, Black, or Hybrid - 9" Minimum Length Limit
 Crappie
 Striped, White, or Hybrid - 17" Minimum Length Limit
 Striped Bass
 Striped, White, or Hybrid - 3 Fish Daily Creel Limit
 Striped Bass (16)

Coles County Airport Lake, Coles County Airport
 Coles County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit

Coleta Trout Pond, State of Illinois
 Whiteside County

Trout - Fall Closed Season (10)
 Trout - Spring Closed Season (11)

Columbus Park Lagoon, Chicago Park District
 Cook County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit

Cook Co. F.P.D. Lakes, Cook County Forest Preserve District
 Cook County

All Fish - 2 Pole and Line Fishing Only (1)
 Large or Smallmouth Bass - 14" Minimum Length Limit

Coulterville City Lake, City of Coulterville
 Randolph County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit

Crab Orchard National Wildlife Refuge - Crab Orchard Lake, U.S. Fish and Wildlife Service (19)
 Williamson County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- All Fish
Striped, White, or Hybrid
Striped Bass (16)
Large or Smallmouth Bass
Large or Smallmouth Bass (17)
- 15" Minimum Length Limit
- Crab Orchard National Wildlife Refuge - Devil's Kitchen Lake, U.S. Fish and Wildlife Service (19)
Williamson County
All Fish
- 2 Pole and Line Fishing Only (1)
- Crab Orchard National Wildlife Refuge - Little Grassy Lake, U.S. Fish and Wildlife Service (19)
Williamson County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- Crab Orchard National Wildlife Refuge. Refuge Ponds (except Visitor Pond), U.S. Fish and Wildlife Service
Williamson County
All Fish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit
- Crab Orchard National Wildlife Refuge. Visitor Pond, U.S. Fish and Wildlife Service
Williamson County
All Fish (30)
- 2 Pole and Line Fishing Only (1)
(5)
- 21" Minimum Length Limit
- Large or Smallmouth Bass
- Crawford Co. Cons. Area - Picnic Pond, Crawford County Conservation Area
Crawford County
All Fish
Channel Catfish
Large or Smallmouth Bass
Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Fall Closed Season (10)
- Crawford Co. Cons. Area Ponds, Crawford County Conservation Area
Crawford County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Crull Impoundment Wildlife Management Area (33)
Jersey County
Crystal Lake, Urbana Park District

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- Champaign County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Dawson Lake & Park Ponds, Moraine View State Park
McLean County
All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Walleye, Sauger, or Hybrid
Walleye (14)
White, Black or Hybrid Crappie
White, Black or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 9" Minimum Length Limit
- 15 Fish Daily Creel Limit
- Decatur Park Dist. Ponds, City of Decatur
Macon County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Deep Pit Lake, Boone County Conservation District
Boone County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth
Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Defiance Lake, Moraine Hills State Park
McHenry County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Des Plaines River Basin - Special Management Zone (Hoffman Dam to 47th Street Bridge, including tributaries)
Cook County
Channel Catfish
Channel Catfish
Large or Smallmouth Bass
Northern Pike
Northern Pike
White, Black or Hybrid
Crappie (15)
Walleye, Sauger, or
- 15" Minimum Length Limit
- 6 Fish Daily Creel Limit
- Catch and Release Only -
No Harvest Permitted (9)
- 30" Minimum Length Limit
- 1 Fish Daily Creel Limit
- 10 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

Hybrid Walleye - 18" Minimum Length Limit
 Walleye, Sauger, or - 1 Fish Daily Creel Limit
 Hybrid Walleye (14)

Des Plaines River Conservation Area (19)
 Will County

Dog Island Wildlife Management Area (19)
 Pope County

Dolan Lake, Hamilton County Conservation Area
 Hamilton County

All Fish - 2 Pole and Line Fishing Only (1)
Bluegill or Redear - 8" Minimum Length Limit
Sunfish
Bluegill or Redear
Sunfish (14)
 Channel Catfish - 10 Fish Daily Creel Limit
 Large or Smallmouth Bass - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit

Donnelley State Wildlife Area (33)
 Bureau County

Douglas Park Lagoon, Chicago Park District
 Cook County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit

DuPage County Forest Preserve District Lakes and Ponds, DuPage County Forest Preserve District

DuPage County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

DuPage River - West Branch (between the dams located in the McDowell Grove Forest Preserve and the Warrenville Grove Forest Preserve)
 DuPage County

Large or Smallmouth Bass - Catch and Release
 Fishing Only (9)

East Fork Lake, City of Olney
 Richland County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

White, Black, or Hybrid - 25 Fish Daily Creel Limit
 Crappie (15)

Eldon Hazlet State Park (19) (See Also Carlyle Lake)
 Clinton County

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Elliott Lake, Wheaton Park District
 DuPage County
 All Fish
 Channel Catfish

Evergreen Lake, City of Bloomington
 McLean County

All Fish - 2 Pole and Line Fishing Only (1)
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Pure Muskellunge - 48" Minimum Length Limit (40)
 White, Black, or Hybrid
 Crappie (15) - 25 Fish Daily Creel Limit

Faries Park Pond, City of Decatur
 Macon County
 Trout - Fall Closed Season (10)

Ferne Clyffe Lake, Ferne Clyffe State Park
 Johnson County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Trout - Fall Closed Season (10)
 Trout - Spring Closed Season (11)

Flatfoot Lake, Cook County Forest Preserve District
 Cook County

All Fish - 2 Pole and Line Fishing Only (1)(36)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit

Foli Park Pond, Village of Plano
 Kendall County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit

Forbes State Lake, Stephen A. Forbes State Park
 Marion County

All Fish - 2 Pole and Line Fishing Only (1)(5)
Bluegill or Redear - 8" Minimum Length Limit
Sunfish
Bluegill or Redear

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- Sunfish (14)
 Channel Catfish
 Large or Smallmouth Bass
 Striped, White, or Hybrid
 Striped Bass
 Striped, White, or Hybrid
 Striped Bass (16)
- 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 17" Minimum Length Limit
 - 3 Fish Daily Creel Limit
- Forbes State Park Ponds, Stephen A. Forbes State Park
 Marion County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)(5)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- Forest Park Lagoon, City of Shelbyville
 Shelby County
 All Fish
 Channel Catfish
 Trout
 Trout
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - Fall Closed Season (10)
 - Spring Closed Season (11)
- Fort de Chartres Historic Site (19)
 Randolph County
- Four Lakes, Winnebago County Forest Preserve
 Winnebago County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth
 Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- Fox Chain O'Lakes (including the Fox River south of the Wisconsin-Illinois boundary to the McHenry Dam) (6) (Applies to Grass Lake and Nippersink Lake State Managed Blind Areas Only (19)), State of Illinois
 Lake and McHenry Counties
 Large or Smallmouth Bass
 Pure Muskellunge
 Walleye, Sauger, or Hybrid
 Walleye
- 14" Minimum Length Limit (6)
 - 48" Minimum Length Limit (40)
 - 14" Minimum Length Limit with an 18-24" Protected Slot Length Limit (no possession) (6)
 - 2 Fish >or=14" and <18" &/or 1 Fish >24" Daily Creel Limit (35)
- Walleye, Sauger, or Hybrid
 Walleye (14)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- Fox Ridge State Park (19)
 Coles County
- Fox River Basin - Special Management Zone (North Aurora Dam to Montgomery Dam, including tributaries)
 Kane County
 Large or Smallmouth Bass
- 14" Minimum Length Limit
- Fox River Basin - Special Management Zone (South Elgin Dam to North Aurora Dam, including tributaries)
 Kane County
 Large or Smallmouth Bass
- Catch and Release Only - No Harvest Permitted (9)
- Frank Holten Lakes, Frank Holten State Park
 St. Clair County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Trout
 Trout
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - Fall Closed Season (10)
 - Spring Closed Season (11)
- Franklin Creek (within the boundaries of Franklin Creek State Natural Area)
 Lee County
 All Fish
- 2 Pole and Line Fishing Only (1)(9)
- Fuller Lake (19)
 Calhoun County
- Fulton County Camping and Recreation Area Waters, Fulton County Board
 Fulton County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth
 Bass (14)
 Blue gill or Redear
 Sunfish (14)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 12"-15" Protected Slot Length Limit (no possession)
 - 3 Fish Daily Creel Limit
 - 25 Fish Daily Creel Limit
- Gages Lake, Wildwood Park District
 Lake County
 All Fish
 Large or Smallmouth Bass
 Large or Smallmouth
 Bass (14)
 Walleye, Sauger, or Hybrid Walleye
- 2 Pole and Line Fishing Only (1)
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 16" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES
NOTICE OF PROPOSED AMENDMENT(S)

Gale Lake, Village of East Galesburg
Knox County
All Fish - 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Garfield Park Lagoon, Chicago Park District
Cook County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit

Gebhard Woods Ponds, Gebhard Woods State Park
Grundy County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Trout - Spring Closed Season (11)

Giant City Park Ponds, Giant City State Park
Jackson and Union Counties
Largemouth and Spotted Bass - 15" Minimum Length Limit

Gillespie New City Lake, City of Gillespie
Macoupin County
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 12-15" Slot Length Limit (3)
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Gillespie Old City Lake, City of Gillespie
Macoupin County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Glades - 12 Mile Island Wildlife Management Area (33)
Jersey County

Gladstone Lake, Henderson County Conservation Area
Henderson County
All Fish - 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 12-15" Slot Length Limit (3)
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Glen Oak Park Lagoon, Peoria Park District

DEPARTMENT OF NATURAL RESOURCES
NOTICE OF PROPOSED AMENDMENT(S)

Peoria County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit

Glen Shoals Lake, City of Hillsboro
Montgomery County
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
Striped, White, or Hybrid - 17" Minimum Length Limit
Striped Bass - 17" Minimum Length Limit
Striped, White, or Hybrid - 3 Fish Daily Creel Limit
Striped Bass (16)

Godar-Diamond/Hurricane Island Wildlife Management Area (33)
Calhoun County

Gompers Park Lagoon, Chicago Park District
Cook County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit

Gordon F. More Park Lake, City of Alton
Madison County
All Fish - 2 Pole and Line Fishing Only (1)
Bluegill or Redear - 25 Fish Daily Creel Limit
Sunfish (14) - 6 Fish Daily Creel Limit
Channel Catfish - 15" Minimum Length Limit
Large or Smallmouth Bass - 3 Fish Daily Limit
Large or Smallmouth Bass (14)

Governor Bond Lake, City of Greenville
Bond County
All Fish - 2 Pole and Line Fishing Only (1) (5)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
Striped, White, or Hybrid - 17" Minimum Length Limit
Striped Bass - 3 Fish Daily Creel Limit
Striped, White, or Hybrid - 3 Fish Daily Creel Limit
Striped Bass (16)

Grayslake Park District (Grayslake and Park Ponds)
Lake County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Greenfield City Lake, City of Greenfield
Greene County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 12"-15" Protected Slot Length Limit (no possession)
 - 5 Fish Under 12" and 1 Fish Over 15" Daily Creel Limit
- Greenville Old City Lake, City of Greenville
Bond County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - Fall Closed Season (10)
- Harrisburg New City Reservoir, City of Harrisburg
Saline County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 17" Minimum Length Limit
- Heidecke Lake, Heidecke Lake State Fish and Wildlife Area
Grundy County (41)
- waterfowl hunters from 10 days prior to duck season through the day before duck season and is closed to all fishing during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 18" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 10 Creel/3 Fish 17" or Longer Daily (17)
 - 22" Minimum Length Limit
- Walleye, Sauger, or Hybrid Walleye

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- Walleye, Sauger, or Hybrid Walleye (14) - 3 Fish Daily Creel Limit
- Helmbold Slough (19)
Calhoun County
- Hennepin Canal-Mainline & Feeder, Hennepin Canal Parkway State Park
Multiple Counties
- 2 Pole and Line Fishing Only (1)(13)
 - 14" Minimum Length Limit
 - Fall Closed Season (10)
 - Spring Closed Season (11)
- Large or Smallmouth Bass
- Trout
- Trout
- Hidden Springs State Forest Ponds, Hidden Springs State Forest
Shelby County
- 2 Pole and Line Fishing Only (1)
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 18" Minimum Length Limit
 - 1 Fish Daily Creel Limit
- Highland Old City Lake, City of Highland
Madison County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - Fall Closed Season (10)
- Hillsboro Old City Lake, City of Hillsboro
Montgomery County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 12-15" Slot Length Limit (3)
- Homer Lake, Champaign County Forest Preserve District
Champaign County
- 2 Pole and Line Fishing Only (1)
 - 8" Minimum Length Limit
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- Hornel Pond, Donnelly State Fish and Wildlife Area
Bureau County
- 2 Pole and Line Fishing

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- Channel Catfish
Large or Smallmouth Bass
Only (1)(5)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Horseshoe Lake-Alexander Co., Horseshoe Lake Conservation Area
Alexander County
(Only trolling motors in refuge from October 5-March 1)
All Fish
- 2 Pole and Line Fishing Only (1)
(5)
Channel Catfish
Large or Smallmouth Bass
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Horseshoe Lake-Madison County, Horseshoe Lake State Park (33)
Madison County
All Fish
- 2 Pole and Line Fishing Only
(1)(28)(34)
- 15" Minimum Length Limit
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 3 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15)
- 25 Fish Daily Creel Limit
- Horton Lake, Nauvoo State Park
Hancock County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Hulit Park Big Lake, Canton Park District
Fulton County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 1 Fish Daily Creel Limit
- Humbolt Park Lagoon, Chicago Park District
Cook County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Illinois & Michigan Canal, State of Illinois
Grundy/LaSalle/Will Counties
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Illinois Beach State Park Ponds, Illinois Beach State Park
Lake County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- Illinois Department of Transportation Lake, State of Illinois
Sangamon County
All Fish
Channel Catfish
Large or Smallmouth Bass
Trout
Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Fall Closed Season (10)
- Spring Closed Season (11)
- Illinois River - Pool 26 (19)
Calhoun County
Indian Boundary South Pond, Frankfort Square Park District
Will County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Jackson Park (Columbia Basin) Lagoon, Chicago Park District
Cook County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Jacksonville Lake, City of Jacksonville
Morgan County
Bluegill or Redear
Sunfish
Bluegill or Redear
Sunfish (14)
Channel Catfish
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- Johnson Sauk Trail Lake & Pond, Johnson Sauk Trail State Park
Henry County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Jones Park Lake, City of East St. Louis
St. Clair County
All Fish
Channel Catfish
Trout
Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Fall Closed Season (10)
- Spring Closed Season (11)
- Jones State Lake, Saline County Conservation Area
Saline County
All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14"-18" Protected Slot Length Limit (no possession) (38)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

Large or Smallmouth Bass - 5 Fish under 14" and 1 Fish over 18" Daily Creel Limit

Jones Lake Trout Pond, Saline County Conservation Area

Saline County

Trout - Fall Closed Season (10)

Jubilee College State Park Ponds,

Jubilee College State Park

Peoria County

All Fish

Channel Catfish - 2 Pole and Line Fishing Only (1)

Large or Smallmouth Bass - 6 Fish Daily Creel Limit

Large or Smallmouth - 15" Minimum Length Limit

Bass (14) - 1 Fish Daily Creel Limit

Kankakee River Basin - Special Management Zone (Wilmington Dam to the Mouth of the Kankakee River, including tributaries)

Will/Grundy Counties

Large or Smallmouth Bass

- 12" - 16" Protected Slot Length Limit (no possession) (37)

Large or Smallmouth

Bass (14) - 1 Fish over 16" and 2 Fish under 12" Daily Creel Limit

Kankakee River Basin - Special Management Zone (Kankakee Dam to the Wilmington Dam, including tributaries)

Kankakee/Will Counties

Large or Smallmouth Bass

Large or Smallmouth Bass - 14" Minimum Length Limit
- Catch and Release Only Season in tributaries - No Harvest May 1 through June 15 (9)

Kankakee River State Park (19)

Kankakee/Will Counties

Kaskaskia River Fish and Wildlife Area (19)

St. Clair/Randolph/Monroe Counties

Kaskaskia River Fish and Wildlife Area - Doza Creek Wildlife Management Area (33)

St. Clair County

Kendall Co. Lake #1, Kendall County Forest Preserve District

Kendall County

All Fish

Channel Catfish - 2 Pole and Line Fishing Only (1)

Large or Smallmouth Bass - 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Kent Creek

Winnebago County

Trout

- Spring Closed Season (11)

Kickapoo State Park Lakes & Ponds, Kickapoo State Park

Vermilion County

All Fish

Channel Catfish - 2 Pole and Line Fishing Only (1)

Large or Smallmouth Bass - 6 Fish Daily Creel Limit

Bass (14) - 14" Minimum Length Limit

- 3 Fish Daily Creel Limit

Kincaid City Reservoir, City of Kincaid

Christian County

All Fish

Channel Catfish - 2 Pole and Line Fishing Only (1)

Large or Smallmouth Bass - 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

Kincaid Lake, Kincaid Lake State Fish and Wildlife Area (19)

Jackson County

Large or Smallmouth Bass - 16" Minimum Length Limit

Large or Smallmouth

Bass (14)

Pure Muskeellunge - 3 Fish Daily Creel Limit

- 48" Minimum Length Limit (40)

Kinmundy Reservoir, City of Kinmundy

Marion County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth

Bass (14)

- 1 Fish Daily Creel Limit

- 2 Pole and Line Fishing Only (1)(5)

- 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

Lake Atwood, McHenry County Conservation District

McHenry County

All Fish

Channel Catfish - 2 Pole and Line Fishing Only (1)

Trout - 6 Fish Daily Creel Limit

- Spring Closed Season (11)

Lake Bloomington, City of Bloomington

McLean County

All Fish

Bluegill or Redear

Sunfish

Bluegill or Redear

Sunfish (14)

- 8" Minimum Length Limit

- 10 Fish Daily Creel Limit

- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- Large or Smallmouth Bass
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
White, Black, or Hybrid
Crappie (15)
- 15" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 25 Fish Daily Creel Limit
- Lake Carlton, Morrison-Rockwood State Park
Whiteside County
All Fish
Channel Catfish
Large or Smallmouth Bass (14)
Large or Smallmouth Bass
Pure Muskellunge
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 36" Minimum Length Limit
- 25 Fish Daily Creel Limit
- Lake Co. Forest Preserve District Lakes, Lake County Forest Preserve District
Lake County
All Fish
Channel Catfish
Large Smallmouth Bass (14)
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Lake Decatur, City of Decatur
Macon County
All Fish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 14" Minimum Length Limit
- Lake Depue Fish and Wildlife Area (33)
Bureau County
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Lake Eureka, City of Eureka
Woodford County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Lake George, Loud Thunder Forest Preserve
Rock Island County
All Fish
Channel Catfish
Large or Smallmouth Bass
Pure Muskellunge
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 36" Minimum Length Limit
- 25 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- Lake Jacksonville, City of Jacksonville
Morgan County
All Fish
Channel Catfish
Large or Smallmouth Bass
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
White, Black, or Hybrid
Crappie
White, Black, or Hybrid
Crappie
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 25 Fish Daily Creel Limit
- 9" Minimum Length Limit
- Lake Kakusha, City of Mendota
LaSalle County
All Fish
Bluegill or Redear
Sunfish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 10 Fish Daily Creel Limit
- Lake Le-Aqua-Na, Lake Le-Aqua-Na State Park
Stephenson County
All Fish
Bluegill-or-Redear-Sunfish-(14)
Channel Catfish
Large or Smallmouth Bass (14)
Large or Smallmouth Bass
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
- ~~10 Fish Daily Creel Limit~~
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 10 Fish Daily Creel Limit
- Lake Mendota, City of Mendota
LaSalle County
All Fish
Channel Catfish
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 1 Fish >or=15" &/or 2 < 12" Daily (31)
- Lake Michigan (Illinois Portion), State of Illinois
Lake/Cook Counties
Trout and Salmon
Trout and Salmon
- 10" Minimum Length Limit
- no more than 5 fish of any one species daily, except

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

Lake Trout
 Lake Trout
 Yellow Perch
 Yellow Perch
 Yellow Perch
 for Lake Trout
 - 2 Fish Daily Creel Limit
 - 15 Fish Daily Creel Limit
 - 8" to 10" Harvest Slot Length
 Limit (2) - Possession of Yellow
 Perch Under 8" or over 10" is
 prohibited; Taking of yellow
 perch from charter boats is
 prohibited
 - Closed During June
 - Catch and Release Fishing Only
 (no possession) (9)

Lake Milliken, Des Plaines Conservation Area

Will County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Trout
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - Spring Closed Season (11)

Lake Mingo & Kennekuk Cove Park Ponds, Vermilion County Conservation Area

Vermilion County
 All Fish
 Bluegill-or-Redear-Sunfish-(14)
 Channel Catfish
 Large or Smallmouth Bass
 - 2 Pole and Line Fishing Only (1)
 --25-Fish-Daily-Creel-Limit
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit

Lake Murphysboro, Lake Murphysboro State Park

Jackson County
 All Fish
 Bluegill-or-Redear-Sunfish-(14)
 Channel Catfish
 Large or Smallmouth
 Bass (14)
 - 2 Pole and Line Fishing Only (1)
 --25-Fish-Daily-Creel-Limit
 - 6 Fish Daily Creel Limit
 - 3 Fish Daily Creel Limit

Lake Nellie, City of St. Elmo

Fayette County
 All Fish
 Channel Catfish
 Large or Smallmouth
 Bass (14)
 Large or Smallmouth Bass
 Striped-White-or-Hybrid
 Striped-Bass
 Striped-White-or-Hybrid
 Striped-Bass-(16)
 - 2 Pole and Line Fishing Only (1)(5)
 - 6 Fish Daily Creel Limit
 - 3 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 --15u-Minimum-length-Limit
 --3-Fish-Daily-Creel-Limit

Lake of the Woods & Elk's Pond, Champaign County Forest Preserve District

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

Champaign County

All Fish
 Bluegill or Redear
 Sunfish
 Bluegill or Redear
 Sunfish (14)
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
 Trout
 - 2 Pole and Line Fishing Only (1)
 - 8" Minimum Length Limit
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 1 Fish Daily Creel Limit
 - Spring Closed Season (11)

Lake Olson, Rock Cut State Park

Winnebago County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
 Trout
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 1 Fish Daily Creel Limit

Lake Owen, Hazel Crest Park District

Cook County
 All Fish
 Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Lake Paradise, City of Mattoon

Coles County
 All Fish
 Large or Smallmouth Bass
 - 2 Pole and Line Fishing Only (1)
 - 14" Minimum Length Limit

Lake Paradise Shadow Ponds, City of Mattoon

Coles County
 All Fish
 Large or Smallmouth Bass
 Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 14" Minimum Length Limit
 - 6 Fish Daily Creel Limit

Lake Sara, City of Effingham

Effingham County
 Large or Smallmouth Bass
 White, Black, or Hybrid
 Crappie (15)
 - 14" Minimum Length Limit
 - 25 Fish Daily Creel Limit

Lake Shelbyville (21), U.S. Army Corps of Engineers

Moultrie/Shelby Counties
 (During the regular waterfowl season, no bank or boat fishing shall be permitted on the Kaskaskia River from the Strickland Boat Access north to the Illinois Central Railroad Bridge from one-half hour before sunrise to 1 p.m.)
 Large or Smallmouth Bass
 Pure Muskellunge
 White, Black, or Hybrid
 - 14" Minimum Length Limit
 - 48" Minimum Length Limit (40)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- Crappie (15)
White, Black, or Hybrid
Crappie
- 10 Fish Daily Creel Limit
- 10" Minimum Length Limit
- Lake Shelbyville - Project Ponds & Woods Lake, Lake Shelbyville State Fish and Wildlife Area (33)
Moultrie/Shelby Counties
All Fish
Channel Catfish
Large or Smallmouth Bass
White, Black, or Hybrid
Crappie
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 10" Minimum Length Limit
- 10 Fish Daily Creel Limit
- Lake Smississippi (19)
Whiteside County
- Lake Springfield, City of Springfield
Sangamon County
All Fish
Large or Smallmouth Bass
White, Black, or Hybrid
Crappie (15)
White, Black, or Hybrid
Crappie
- 2 Pole and Line Fishing Only (1)
- 15" minimum Length Limit
- 25 Fish Daily Creel Limit
- 9" Minimum Length Limit
- Lake Storey, City of Galesburg
Knox County
All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Walleye, Sauger, or Hybrid
Walleye (14)
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- 3 Fish Daily Creel Limit
- Lake Strini, Village of Romeoville
Will County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Lake Sule, Flagg-Rochelle Park District
Ogle County
All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 5 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- Large or Smallmouth Bass (14)
Pure Muskellunge
White, Black or Hybrid
Crappie (15)
- 1 Fish Daily Creel Limit
- 36" Minimum Length Limit
- 10 Fish Daily Creel Limit
- Lake Taylorville, City of Taylorville
Christian County
Large or Smallmouth Bass
White, Black, or Hybrid
Crappie
White, Black, or Hybrid
Crappie (15)
- 15" Minimum Length Limit
- 9" Minimum Length Limit
- 25 Fish Daily Creel Limit
- Lake Vandallia, City of Vandallia
Payette County
All Fish
Channel Catfish
Large or Smallmouth Bass
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Lake Vermillion, Vermillion County Conservation District
Vermillion County
All Fish
Large or Smallmouth Bass
Pure Muskellunge
White, Black, or Hybrid
Crappie
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (26)
- 15" Minimum Length Limit (23)
- 48" Minimum Length Limit (40)
- 9" Minimum Length Limit
- 25 Fish Daily Creel Limit
- Lake Victoria, City of South Beloit
Winnebago County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Lake Williamsville, City of Williamsville
Sangamon County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- LaSalle Lake, LaSalle Power Station
LaSalle County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

All Fish
 Large or Smallmouth Bass (14)
 Large or Smallmouth Bass
 Striped, White, or Hybrid
 Striped Bass (16)
 - 2 Pole and Line Fishing Only (1)
 - 1 Fish Daily Creel Limit
 - 18" Minimum Length Limit
 - 10 Creel/3 Fish 17" or Longer
 Daily (17)

Levings Lake, Rockford Park District
 Winnebago County

All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth
 Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 1 Fish Daily Creel Limit

Lincoln Log Cabin Pond, Lincoln Log Cabin Historical Site
 Coles County

All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth
 Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 15" Minimum Length Limit
 1 Fish Daily Creel Limit

Lincoln Park North Lagoon, Chicago Park District
 Cook County

All Fish
 Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Lincoln Park South Lagoon, Chicago Park District
 Cook County

All Fish
 Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Lincoln Trail Lake, Lincoln Trail State Park
 Clark County

All Fish
 Channel Catfish
 Large or Smallmouth Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 12-15" Slot Length Limit (3)

Little Black Slough, Little Black Slough State Natural Area
 Johnson County

All Fish
 All Fish
 - 2 Pole and Line Fishing Only (1)
 - No Seines

Little Sister Lake, County of Fulton
 Fulton County

All Fish
 Bluegill or Redear
 - 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

Sunfish (14)
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth
 Bass (14)
 - 25 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 12-15" Slot Length Limit (3)
 - 3 Fish Daily Creel Limit

Little Vermillion River Basin - Special Management Zone (river mainstem and tributaries)
 LaSalle County

Large or Smallmouth Bass
 - Catch and Release Only Season
 No Harvest May 1 through
 June 15 (9)

Lou Yeager Lake, City of Litchfield
 Montgomery County

Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
 - 15" minimum Length Limit
 - 3 Fish Daily Creel Limit

Loami Reservoir, City of Loami
 Sangamon County

All Fish
 Channel Catfish
 Large or Smallmouth Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit

Lower Cache River, Lower Cache River State Natural Area
 Pulaski/Johnson Counties

All Fish
 All Fish
 - 2 Pole and Line Fishing Only (1)
 - No Seines

Lyerla Lake, Union County Conservation Area
 Union County

All Fish
 Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Macon County Conservation District
 Ponds, Macon County Conservation
 District

Macon County
 All Fish
 Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Maple Lake, Cook County Forest Preserve District
 Cook County

All Fish
 Channel Catfish
 Large or Smallmouth Bass
 - 2 Pole and Line
 Fishing Only (1)(36)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

Marissa City Lake, City of Marissa
St. Clair County
Channel Catfish

- 6 Fish Daily Creel Limit

Marquette Park Lagoon, Chicago Park District

Cook County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Marshall County Conservation Area (Fishing Ditch), Marshall County
Conservation Area (33)

Marshall County

All Fish

- 2 Pole and Line Fishing Only (1)

Marshall County Conservation Area - Sparland Unit (19)

Marshall County

Mascoutah Reservoir, City of Mascoutah

St. Clair County

All Fish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Massac County Fairgrounds Pond, State of Illinois

Massac County

Trout

Trout

- Fall Closed Season (10)

- Spring Closed Season (11)

Matthiessen Lake, Matthiessen State Park

LaSalle County

All Fish

Bluegill or Redear

Sunfish (14)

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)

- 10 Fish Daily Creel Limit

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

Mattoon Lake, City of Mattoon

Coles County

All Fish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)

- 14" Minimum Length Limit

Mautino Fish and Wildlife Area, Mautino Fish and Wildlife Area

Bureau County

All Fish

Bluegill or Redear Sunfish (14)

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Creel Limit

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

- 1 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

Mauvaise Terre/Morgan Lake, City of Jacksonville
Morgan County

- Large or Smallmouth Bass
- 15" Minimum Length Limit

Mazonia Lakes & Ponds, Mazonia State Fish and Wildlife Area (33)

Grundy County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

White, Black or Hybrid

Crappie (15)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 10 Fish Daily Creel Limit

McCullom Lake, City of McHenry

McHenry County

All Fish

Bluegill or Redear

Sunfish (14)

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth

Bass (14)

- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

McKinley Park Lagoon, Chicago Park District

Cook County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

McLeansboro City Lakes, City of McLeansboro

Hamilton County

All Fish

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Meredosia Lake - Cass County Portion Only (meandered waters only) (33)

Cass County

Meredosia Lake - Cass County Portion

Cass County

(Meandered waters only) (All boat traffic is prohibited from operating on meandered waters (except non-motorized boats may be used to assist in the retrieval of waterfowl shot from private land) from the period from one week before waterfowl season opens until the season closes; hunting and/or any other activity is prohibited during the period from one week before waterfowl season opens until the season closes)

Mermet State Lake, Mermet Lake Conservation Area (33)
Massac County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- All Fish - 2 Pole and Line Fishing Only (1)
(5)
- Bluegill or Redear Sunfish
- 8" Minimum Length Limit
- Bluegill or Redear Sunfish (14)
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Channel Catfish
Large or Smallmouth Bass
- Middle Fork Forest Preserve Ponds, Champaign County Forest Preserve
Champaign County
All Fish - 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
- Middle Fork of the Vermillion River, Kickapoo State Park and Middle Fork Fish and Wildlife Area
Vermillion County
All Fish - 2 Pole and Line Fishing Only (1)
- Middle Fork of the Vermillion River Basin - Special Management Zone (river mainstem and tributaries)
Vermillion/Champaign/Ford Counties
Large or Smallmouth Bass - 14" Minimum Length Limit
Large or Smallmouth Bass - Catch and Release Only Season in tributaries - No Harvest May 1 through June 15 (9)
- Mill Creek Lake, Clark County Park District
Clark County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 12-15" Slot Length Limit (3)
- Mill Pond, Pearl City Park District
Stephenson County
All Fish - 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass - 14" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Mill Race Ponds, Belvidere Park District
Boone County
Trout - Spring Closed Season (11)
- Miller Park Lake, City of Bloomington
McLean County
Large or Smallmouth Bass - 15" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Trout - Spring Closed Season (11)
- Mineral Springs Park Lagoon, City of Pekin
Tazewell County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Trout - Fall Closed Season (10)
- Mississippi River Pools 16, 17, 18, 21, 22, 24, 25, 26 (19)
Multiple Counties
- Mississippi River (between IL & IA), State of Illinois
Multiple Counties - 14" Minimum Length Limit
Large or Smallmouth Bass - 5 Fish Daily Creel Limit
Northern Pike - 10 Fish Daily Creel Limit (24)
Walleye and Sauger (14) - 15" Minimum Length Limit
Walleye
- Mississippi River (between IL & MO), State of Illinois
Multiple Counties
(Boating prohibited on refuge area (Ellis Bay) immediately upstream of Melvin Price Lock and Dam 26 overflow dike from October 15-April 15)
Northern Pike - 1 Fish Daily Creel Limit
Walleye and Sauger (14) - 8 Fish Daily Creel Limit
- Monee Reservoir, Will County Forest Preserve District
Will County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
- Montrose Lake, City of Montrose
Cumberland County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
- Mt. Olive City Lakes, City of Mt. Olive
Macoupin County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
- Mt. Olive (Old) Lake, City of Mt. Olive
Macoupin County
Large or Smallmouth Bass - 15" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Mt. Pulaski Park District Lake, Mt. Pulaski Park District Logan County
All Fish - 2 Pole and Line Fishing Only (1)
- Mt. Sterling Lake, City of Mt. Sterling Brown County
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 12-15" Slot Length Limit (3)
- Mt. Vernon City Park Lake, City of Mt. Vernon Jefferson County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Mt. Vernon Game Farm Pond, Mt. Vernon Game Farm Jefferson County
All Fish - 2 Pole and Line Fishing Only (1)
Trout - Fall Closed Season (10)
Trout - Spring Closed Season (11)
- Mundelein Park Dist. (Diamond Lake & Park Ponds), City of Mundelein Lake County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Nashville City Lake, City of Nashville Washington County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 18" Minimum Length Limit
- Newton Lake, Newton Lake State Fish and Wildlife Area Jasper County
All Fish - 2 Pole and Line Fishing Only (1)
(5)
Large or Smallmouth Bass - 18" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
White, Black, or Hybrid
Crappie (15) - 10 Fish Daily Creel Limit
White, Black, or Hybrid
Crappie - 10" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- Norris City Reservoir, City of Norris City White County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
- North Marcum Campground Pond, U.S. Army Corps of Engineers Franklin County
Recreational Use Restrictions - Fishing permitted only by persons under 16 years of age
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Oakford Conservation Area (Menard County) (19) Menard County
- Oakland City Lake, City Lake, City of Oakland Coles County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
- Oblong Lake, City of Oblong Crawford County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Ohio River (between Illinois & Kentucky), State of Illinois Multiple Counties (19)
Large or Smallmouth Bass - 12" Minimum Length Limit
Northern Pike - No Length or Creel Limit
Muskie or Tiger Muskie - 2 Fish Daily Creel Limit
Walleye, Sauger, or Hybrid - 30" Minimum Length Limit
Walleye (14) - 10 Fish Daily Creel Limit
White, Black, or Hybrid - 30 Fish Daily Creel Limit
Crappie (15) - 30 Creel/4 Fish 15" or Longer Daily (32)
Striped, White, Yellow or Hybrid Striped Bass
- Ohio River-Smithland Pool Tributary Streams (in Pope/Hardin/Gallatin Counties, excluding Wabash River and Saline River Above Route 1 Bridge) (19) Multiple Counties

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

Large and Smallmouth Bass - 12" Minimum Length Limit

Omaha City Reservoir, City of Omaha
Gallatin County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit

Otter Lake, Otter Lake Water Commission
Macoupin County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
Striped-White-or-Hybrid - 17" Minimum Length Limit
Striped-Bass - 3 Fish Daily Creel Limit
Striped, White, or Hybrid - 3 Fish Daily Creel Limit
Striped Bass (16) - 10 Creel/3 Fish 17" or Longer Daily (17)

Pure Muskellunge

- 48" Minimum Length Limit (40)

Palmyra-Modesto Water Commission Lake, Palmyra/Modesto Water Commission
Macoupin County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Pana Lake, City of Pana
Shelby and Christian Counties

All Fish - 2 Pole and Line Fishing Only (1)

Bluegill or Redear

Sunfish - 8" Minimum Length Limit

Bluegill or Redear - 10 Fish Daily Creel Limit

Sunfish (14) - 6 Fish Daily Creel Limit

Channel Catfish - 14" Minimum Length Limit

Large or Smallmouth Bass

Paris East & West Lakes, City of Paris
Edgar County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit

Peabody River King, Pit #3 Lakes and Ponds, River King State Conservation Area
St. Clair County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

All Fish - 2 Pole and Line Fishing Only (1)
(34)

Channel Catfish - 6 Fish Daily Creel Limit

Large or Smallmouth Bass - 15" Minimum Length Limit

Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

White, Black, or Hybrid

Crappie (15) - 25 Fish Daily Creel Limit

White, Black, or Hybrid Crappie - 9" Minimum Length Limit

Pekin Lake (19)

Tazewell County

Perry Farm Pond, Bourbonnais Park District

Kankakee County

All Fish - 2 Pole and Line Fishing Only (1)

Channel Catfish - 6 Fish Daily Creel Limit

Piasa (19)

Madison/Jersey Counties

Pierce Lake, Rock Cut State Park

Winnebago County

All Fish - 2 Pole and Line Fishing Only
(1)(7)

Bluegill or Redear

Sunfish

Bluegill or Redear

Sunfish

Channel Catfish - 10 Fish Daily Creel Limit

Large or Smallmouth Bass (14) - 6 Fish Daily Creel Limit

Large or Smallmouth Bass - 1 Fish Daily Creel Limit

Pure Muskellunge - 14" Minimum Length Limit

White, Black, or Hybrid - 48" Minimum Length Limit (40)

Crappie (15) - 25 Fish Daily Creel Limit

Pike County Conservation Area (19)

Pike County

Pickneyville Lake, City of Pickneyville

Perry County

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

Pine Creek

Ogle County

Trout

- Spring Closed Season (11)

Pine Creek (within the boundaries of White Pines Forest State Park)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

Ogle County
All Fish
Trout

- 2 Pole and Line Fishing Only (1)
- Spring Closed Season (11)

Pine Lake, Village of University Park

Will County
All Fish
Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Piscasaw Creek

McHenry County
Trout
Trout

- 9" Minimum Length Limit
- Spring Closed Season (11)

Pittsfield City Lake, City of Pittsfield

Pike County
All Fish

- 2 Pole and Line Fishing Only (1)(7)
- 14" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 9" Minimum Length Limit

Large or Smallmouth Bass
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
White, Black, or Hybrid
Crappie

Pocahontas Park Pond, City of Pocahontas

Bond County
All Fish
Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Powerton Lake, Powerton Lake Fish and Wildlife Area (39)

Tazewell County

(Powerton Lake shall be closed to boat traffic except for legal waterfowl hunters from one week prior to regular waterfowl season to February 15, and closed to all unauthorized entry during the regular Canada goose and duck season)

All Fish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 10 Creel/3 Fish 17" or Longer Daily (17)
- 3 Fish Daily Creel Limit
- 18" Minimum Length Limit

Channel Catfish

- 6 Fish Daily Creel Limit
- 18" Minimum Length Limit

Large or Smallmouth Bass (14)

- 1 Fish Daily Creel Limit

Striped, White, or Hybrid

- 10 Creel/3 Fish 17" or Longer Daily (17)
- 3 Fish Daily Creel Limit

Walleye, Sauger, or Hybrid

Walleye (14)

- 3 Fish Daily Creel Limit

Walleye, Sauger, or Hybrid

- 18" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

Prospect Pond, City of Moline
Rock Island County
Trout

- Fall Closed Season (10)

Pyramid State Park Lakes & Ponds, Pyramid State Park

Perry County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

All Fish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Channel Catfish

Ramsey Lake, Ramsey Lake State Park

Fayette County

- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

All Fish

- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Bluegill or Redear Sunfish (14)

- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

White, Black, or Hybrid

- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Crappie (15)

- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

White, Black, or Hybrid

- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Crappie

- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Ramsey Lake State Park Ponds, Ramsey Lake State Park

Fayette County

- 14" Minimum Length Limit

Large or Smallmouth Bass

- 14" Minimum Length Limit

Randolph County Lake, Randolph County Conservation Area

Randolph County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Fall Closed Season (10)

All Fish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Fall Closed Season (10)

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Fall Closed Season (10)

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Fall Closed Season (10)

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Fall Closed Season (10)

Trout

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Fall Closed Season (10)

Red Hills Lake, Red Hills State Park

Lawrence County

- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit

All Fish

- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit

Bluegill or Redear

- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit

Sunfish

- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit

Bluegill or Redear

Sunfish (14)

- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Channel Catfish

- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Large or Smallmouth Bass

- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Red's Landing Wildlife Management Area (19)

Calhoun County

- 7 days prior to duck season

(Walk-in area closed to trespassing 7 days prior to duck season)

Redwing Slough/Deer Lake (33)

Lake County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

Rend Lake, U.S. Army Corps of Engineers (22) (33)
Franklin County

See kids only fishing
regulations for North Marcum
Campground Pond

Large or Smallmouth Bass - 14" Minimum Length Limit

Striped, White, Yellow, or Hybrid

Striped Bass (8) - 10 Creel/3 Fish 17" or Longer Daily
(17)

Rend Lake Project Pond, U.S. Army Corps of Engineers
Franklin County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

- 3 Fish Daily Creel Limit

Rice Lake Fish and Wildlife Area (33)
Fulton County

Ridge Lake, Fox Ridge State Park

Coles County

(Recreational Use Restrictions - Waterfowl Refuge or Hunting Area (19))

All Fish

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)

- 14" Minimum Length Limit

- 14" Minimum Length Limit

Ris Park Lagoon, Chicago Park District
Cook County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

Riprap Landing (19)
Calhoun County

Riverside Park Lagoon, Moline Park District

Rock Island County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

Rock Creek, State of Illinois
Kankakee County

Trout

- Spring Closed Season (11)

Rock River Basin - Special Management Zone (Fordam Dam to Oregon Dam,
including tributaries)

Ogle/Winnebago Counties

Large or Smallmouth Bass

- 12" - 16" Protected Slot Length

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

Large or Smallmouth Bass (14) Limit (no possession) (37)
- 1 Fish over 16" and 2 Fish under
12" Daily Creel Limit

Rock River Basin - Special Management Zone (from Oregon Dam to State Route 2
Highway Bridge at Grand Detour, including all tributaries)
Ogle County

Large or Smallmouth Bass - Catch and Release Fishing Only (9)

Rock Springs Bike Trail Pond, Macon County Conservation District
Macon County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth

Bass (14)

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

- 1 Fish Daily Creel Limit

Rock Springs Pond, Macon County Conservation District
Macon County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth

Bass (14)

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

- 1 Fish Daily Creel Limit

- Spring Closed Season (11)

Trout

Roodhouse Park Lake, City of Roodhouse
Green County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

Route 154 Day Use Pond, State of Illinois
Randolph County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth

Bass (14)

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

- 1 Fish Daily Creel Limit

St. Elmo South Lake, City of St. Elmo
Fayette County

All Fish

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

Salem Reservoir, City of Salem
Marion County

All Fish

- 2 Pole and Line Fishing Only (1)(5)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- Channel Catfish
Large or Smallmouth Bass
- 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- Sam Dale Lake, Sam Dale Conservation Area
Wayne County
- All Fish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- Channel Catfish
Large or Smallmouth Bass
- Sam Dale Trout Pond, Sam Dale Conservation Area
Wayne County
- All Fish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- Channel Catfish
Large or Smallmouth Bass
- Trout
- Trout
- Sam Parr Lake, Sam Parr State Park
Jasper County
- All Fish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- Channel Catfish
Large or Smallmouth Bass
- Sand Lake, Illinois Beach State Park
Lake County
- Channel Catfish
Large or Smallmouth Bass
- 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 1 Fish Daily Creel Limit
 - Fall Closed Season (10)
 - Spring Closed Season (11)
- Sandy Creek Basin - Special Management Zone (river mainstem and tributaries)
Marshall County
- Large or Smallmouth Bass
- Catch and Release Only Season -
No Harvest May 1 through
June 15 (9)
- Sanganois Conservation Area (33)(42)
Mason/Cass/Schuylar/Menard Counties
- Sangchris Lake, Sangchris Lake State Park
Christian/Sangamon Counties
- (Posted waterfowl refuge closed to all boat traffic during waterfowl season. Bank fishing along the dam shall be permitted. Fishing shall be prohibited in the east and west arms of the lake during the period from 10 days prior to the duck season through the end of the duck season. Fishing shall be prohibited in the west arm of the lake and the east arm of the lake south of the power lines during that portion of the Canada goose season that follows the duck

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- season)
- All Fish
- 2 Pole and Line Fishing Only (1)
 - 15" Minimum Length Limit
- Large or Smallmouth Bass
Large or Smallmouth
- Bass (14)
- 3 Fish Daily Creel Limit
- White, Black, or Hybrid
Crappie (15)
- 1025 Fish Daily Creel Limit
- White, Black, or Hybrid
Crappie
- 9" Minimum Length Limit
- Sangchris Lake Park Ponds, Sangchris Lake State Park
Sangamon County
- All Fish
- 2 Pole and Line Fishing Only (1)
- Schiller Pond, Cook County Forest Preserve District
Cook County
- All Fish
- 2 Pole and Line Fishing Only (1)
 - 36)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- Schuyler County
- Schuyler County
- White, Black, or Hybrid
Crappie
- 9" Minimum Length Limit
- Senior Citizen's Pond, Kankakee River State Park
Kankakee County
- All Fish
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- Channel Catfish
- Shabbona Lake, Shabbona Lake State Park
Dekalb County
- All Fish
- 2 Pole and Line Fishing Only (1)(7)
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 1 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 48" Minimum Length Limit (40)
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass (14)
- Large or Smallmouth Bass
- Pure Muskellunge
- Striped, White, or Hybrid
Striped Bass
- 17" Minimum Length Limit
- Striped, White, or Hybrid
Striped Bass
- 3 Fish Daily Creel Limit
- Walleye, Sauger, or Hybrid
Walleye
- 18" Minimum Length Limit
- White, Black, or Hybrid
Crappie (15)
- 10 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- Shawnee National Forest Lakes & Ponds less than 10 acres, U.S. Forest Service Multiple Counties
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Shawnee National Forest - Bay Creek Lake #5 and #8 (Sugar Creek Lake), U.S. Forest Service Pope County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Shawnee National Forest - Dutchman Lake, U.S. Forest Service Johnson County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Shawnee National Forest - Lake Glendale, U.S. Forest Service Pope County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Shawnee National Forest - Little Cache #1, U.S. Forest Service Johnson County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Shawnee National Forest - One Horse Gap Lake, U.S. Forest Service Pope County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- Spotted Bass
- 15" Minimum Length Limit
- Shawnee National Forest - Pounds Hollow Lake, U.S. Forest Service Gallatin County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- Shawnee National Forest - Tecumseh Lake, U.S. Forest Service Hardin County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- Shawnee National Forest - Turkey Bayou, U.S. Forest Service Jackson County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- Shawnee National Forest - Whoopie Cat Lake, U.S. Forest Service Hardin County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- Sherman Park Lagoon, Chicago Park District Cook County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- Siloam Springs Lake, Siloam Springs State Park Adams County
- 2 Pole and Line Fishing Only (1) (7)
 - 6 Fish Daily Creel Limit
 - 12-15" Slot Length Limit (3)
 - Fall Closed Season (10)
 - Spring Closed Season (11)
- Silver Lake, DuPage County Forest Preserve District DuPage County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Spring Closed Season (11)

Silver Springs S.P. (Big Lake) & Ponds, Silver Springs State Park

Kendall County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Fall Closed Season (10)
- Spring Closed Season (11)

Channel Catfish

Large or Smallmouth Bass

Trout

Trout

Site M, All Lakes and Ponds, Site M Conservation Area

Cass County

- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit

Bluegill or Redear

Bluegill or Redear

Sunfish (14)

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth

Bass (14)

Site M, Gurney Road Pond Highway-ff-Pond, Site M Conservation Area

Cass County

- 2 Pole and Line Fishing Only (1)
- 8" Minimum Length Limit

Bluegill or Redear

Bluegill or Redear

Sunfish (14)

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth

Bass (14)

Trout

Skokie Lagoons, Cook County Forest Preserve District

Cook County

- 2 Pole and Line Fishing Only (1)
- (36)
- 14" Minimum Length Limit
- 18" Minimum Length Limit

Large or Smallmouth Bass

Walleye

Small Pit Pond, Boone County Conservation District

Boone County

All Fish

- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth

Bass (14)

Snake Den Hollow Lakes, Snake Den Hollow State Fish and Wildlife Area

Knox County

- (All use other than waterfowl hunting prohibited from October 1 through the end of the Canada goose season)

All Fish

Bluegill or Redear Sunfish (14)

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

Pure Muskellunge

Walleye, Sauger, or Hybrid

Walleye (14)

White, Black, or Hybrid

Crappie (15)

Sparta City Lakes, City of Sparta

Randolph County

All Fish

Channel Catfish

Large or Smallmouth Bass

Sparta "T" Lake, City of Sparta

Randolph County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth

Bass (14)

White, Black, or Hybrid

Crappie

White, Black, or Hybrid

Crappie (15)

Spencer Lake, Boone County Conservation District

Boone County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth

Bass (14)

Spring Lake, City of Macomb

McDonough County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

- All Fish
- 2 Pole and Line Fishing Only (1) (5)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
- Channel Catfish
- 17" Minimum Length Limit
- Large or Smallmouth Bass
- 3 Fish Daily Creel Limit
- Large or Smallmouth Bass (14)
- 17" Minimum Length Limit
- Striped, White, or Hybrid
- 3 Fish Daily Creel Limit
- Striped Bass
- 17" Minimum Length Limit
- Striped, White, or Hybrid
- 3 Fish Daily Creel Limit
- Striped Bass (16)
- 3 Fish Daily Creel Limit
- Spring Lakes (North & South), Spring Lake Conservation Area (33)
- Tazewell County
- 2 Pole and Line Fishing Only (1) (7)
 - 6 Fish Daily Creel Limit
- All Fish
- 12-15" Slot Length Limit (3)
- Channel Catfish
- 3 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 48" Minimum Length Limit (40)
- Large or Smallmouth Bass (14)
- 25 Fish Daily Creel Limit
- Pure Muskellunge
- 9" Minimum Length Limit
- White, Black, or Hybrid
- 9" Minimum Length Limit
- Crappie (15)
- 9" Minimum Length Limit
- White, Black, or Hybrid
- 9" Minimum Length Limit
- Crappie
- 9" Minimum Length Limit
- Spring Pond, Flagg-Rochelle Park District
- Ogle County
- 2 Pole and Line Fishing Only (1)
 - 14" Minimum Length Limit
- All Fish
- 1 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 14" Minimum Length Limit
- Large or Smallmouth Bass (14)
- 1 Fish Daily Creel Limit
- Starved Rock State Park (19)
- LaSalle County
- Staunton City Lake, City of Staunton
- Macoupin County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 15" Minimum Length Limit
- Large or Smallmouth Bass (14)
- 3 Fish Daily Creel Limit
- Stephen A. Forbes State Park (19)
- Marion County
- Sterling Lake, Lake County Forest Preserve District
- Lake County
- 2 Pole & Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- All Fish
- 2 Pole & Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit

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- Large or Smallmouth Bass (14)
- 1 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 15" Minimum Length Limit
- Pure Muskellunge
- 36" Minimum Length Limit
- Storm Lake, DeKalb Park District
- DeKalb County
- 2 Pole and Line Fishing (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
- All Fish
- 1 Fish Daily Creel Limit
- Channel Catfish
- 1 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 1 Fish Daily Creel Limit
- Large or Smallmouth Bass (14)
- 1 Fish Daily Creel Limit
- Stump Lake Wildlife Management Area (33)
- Jersey County
- Tamper Lake, Cook County Forest Preserve District
- Cook County
- 2 Pole and Line Fishing Only (36)
- All Fish
- 8" Minimum Length Limit
- Bluegill or Redear
- 10 Fish Daily Creel Limit
- Sunfish
- 6 Fish Daily Creel Limit
- Bluegill or Redear
- 14" Minimum Length Limit
- Sunfish (14)
- 18" Minimum Length Limit
- Channel Catfish
- 18" Minimum Length Limit
- Large or Smallmouth Bass
- 18" Minimum Length Limit
- Walleye, Sauger, or Hybrid
- 18" Minimum Length Limit
- Walleye
- 18" Minimum Length Limit
- Taylorville Park District Pond, Taylorville Park District
- Christian County
- 2 Pole and Line Fishing Only (1)
- All Fish
- Ten Mile Creek Lakes, Ten Mile Creek State Fish and Wildlife Area
- Hamilton/Jefferson Counties (19)
- (Areas designated as refuge are closed to all access during the Canada goose season)
- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 14" Minimum Length Limit
- Tilton City Lake, City of Tilton
- Toledo Reservoir, City of Toledo
- Cumberland County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit
- Vermilion County

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- Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Tomahawk Lake, Moraine Hills State Park
 McHenry County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Turkey Bluff Ponds, State of Illinois
 Randolph County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Turner Lake, Chain O'Lakes State Park
 Lake County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
- Tuscola City Lake, City of Tuscola
 Douglas County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
- Union County Conservation Area
 Union County
 (All fishing and boat traffic prohibited October 15-March 1)
 Valley Lake, Wildwood Park District
 Lake County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Valmeyer Lake, City of Valmeyer
 Monroe County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit

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- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Vanhorn Woods Pond, Plainfield Park District
 Will County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Vernor Lake, City of Olney
 Richland County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
- Villa Grove East Lake, City of Villa Grove
 Douglas County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
- Villa Grove West Lake, City of Villa Grove
 Douglas County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
 Trout - Fall Closed Season (10)
- Virginia City Reservoir, City of Virginia
 Cass County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
- Waddams Creek
 Stephenson County
 Trout - Spring Closed Season (11)
- Walnut Point Lake, Walnut Point State Fish and Wildlife Area
 Douglas County
 All Fish - 2 Pole and Line Fishing Only (1)
Bluegill or Redear - 8" Minimum Length Limit
Sunfish - 10 Fish Daily Creel Limit
Sunfish (14) - 6 Fish Daily Creel Limit
 Channel Catfish

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- Large or Smallmouth Bass - 12-15" Slot Length Limit (3)
- Walton Park Lake, City of Litchfield
Montgomery County
All Fish - 2 Pole and Line Fishing Only (1)
Bluegill or Redear - 8" Minimum Length Limit
Sunfish - 10 Fish Daily Creel Limit
Bluegill or Redear - 6 Fish Daily Creel Limit
Sunfish (14) - 15" Minimum Length Limit
Channel Catfish - 3 Fish Daily Creel Limit
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- Wapum Lake, Cook County Forest Preserve District
Cook County
All Fish - 2 Pole and Line Fishing Only
(1)(36)
- Bluegill or Redear - Catch and Release Only (9)
Sunfish - 14" Minimum Length Limit
Large or Smallmouth Bass
- Warrior Lake, Moraine Hills State Park
McHenry County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Washington County Lake, Washington County Conservation Area
Washington County
All Fish - 2 Pole and Line Fishing Only (1)
(5)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
Striped, White, or Hybrid - 17" Minimum Length Limit
Striped Bass - 3 Fish Daily Creel Limit
Striped Bass (16)
- Washington Park Lagoon, Chicago Park District
Cook County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
- Washington Park Pond, Springfield Park District
Sangamon County
All Fish - 2 Pole and Line Fishing Only (1)

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- Channel Catfish - 6 Fish Daily Creel Limit
Trout - Fall Closed Season (10)
Trout - Spring Closed Season (11)
- Waverly Lake, City of Waverly
Morgan County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
- Weinberg-King Pond, Weinberg-King State Park
Schuyler County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
- Weldon Springs Lake, Weldon Springs State Park
Dewitt County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- West Frankfort New City Lake, City of West Frankfort
Franklin County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
- West Frankfort Old City Lake, City of West Frankfort
Franklin County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
- West Salem Reservoir, City of West Salem
Edwards County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
- White Hall City Lake, City of White Hall
Greene County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
- White Oaks Lake, City of Bloomington
McLean County
All Fish - 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass - 15" Minimum Length Limit

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Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Wilderness Lake, Moraine Hills State Park

McHenry County

All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Wilderness Pond, Fox Ridge State Park

Coles County

(Recreational Use Restrictions - Waterfowl Refuge or Hunting Area (19))
 All Fish - 2 Pole and Line Fishing Only (1)

Bluegill or Redear

Sunfish (14)

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth

Bass (14)

- 1 Fish Daily Creel Limit

William W. Powers Conservation Area (33)

Cook County

Willow Lake, Peabody River King State Conservation Area

St. Clair County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

White, Black, or Hybrid

Crappie

White, Black, or Hybrid

Crappie

Trout

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

- 3 Fish Daily Creel Limit

- 25 Fish Daily Creel Limit

- 9" Minimum Length Limit

- Fall Closed Season (10)

Wolf Lake, William W. Powers Conservation Area (33)

Cook County

All Fish

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

Woodford Co. Cons. Area (Fishing Ditch), Woodford County (33)

Conservation Area

Woodford County

All Fish

- 2 Pole and Line Fishing Only (1)

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Woodlawn Pond, Frankfort Square Park District

Will County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth

Bass (14)

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

- 1 Fish Daily Creel Limit

Wyman Lake, City of Sullivan

Moultrie County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth

Bass (14)

Trout

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

- 1 Fish Daily Creel Limit

- Spring Closed Season (11)

Yellow Creek

Stephenson County

Trout

- Spring Closed Season (11)

(Source: Amended at 23 Ill. Reg. _____, effective _____)

Section 810.70 Free Fishing Days

During the period of June 11, 12, 13, 14, 1999 57-67-77-and-87-1998, it shall be legal for any person to fish in waters wholly or in part within the jurisdiction of the State, including the Illinois portion of Lake Michigan, without possessing a sport fishing license, salmon stamp or inland trout stamp.

(Source: Amended at 23 Ill. Reg. _____, effective _____)

Section 810.90 Fishing Tournament Permit

a) A fishing tournament permit from the Department of Natural Resources is needed if:

- 1) Prizes are offered for tagged or marked fish and where any of the waters listed in Section 810.45 are named as a tournament site; or
- 2) The fishing event is conducted over a period of more than 5 days during any calendar year, and prizes with a total value in excess of \$1,000 are offered, and where any of the waters listed in Section 810.45 are named as a tournament site; or
- 3) Special exemption to the site specific regulations for daily creel and size limit (not exceed the statewide statutory limits) is requested for:

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- A) catch, hold for weigh-in, and release tournaments for muskies (all waters), or smallmouth bass (Lake Michigan and streams only - except that the Mississippi, Ohio and Wabash Rivers are not eligible for permits which exempt participants from site specific daily catch and size limits); and
- B) special fishing tournaments/events for children under 16, for disabled persons, or for adults over 65.
- b) Requests for a permit shall be made on applications provided by the Department of Natural Resources, Division of Fisheries, at least 60 days prior to the first tournament date.
- c) Issuance or denial of a permit shall be based upon the following criteria:
- 1) The capability of the fishery resource to absorb the tournament with minimal impact to its well-being.
 - 2) The location of the tournament; catch and release management zones on streams are not eligible for permits.
 - 3) The Mississippi, Wabash, and Ohio are not eligible for permits which exempt participants from daily catch and size limits for smallmouth bass.
 - 4) The evaluation of the adverse impacts resulting from the additional fishing pressure generated by the tournament on the fish population and the targeted fish species. The evaluation must demonstrate minimal and short-term impacts in order for the Department of Natural Resources to issue the permit. Specific items to be considered include:
 - A) biological status of the fish population, including the species sought;
 - B) length of the tournament;
 - C) number of boats and anglers participating in the tournament;
 - D) for tagged fish tournaments, provisions for obtaining and tagging targeted fish species; and
 - E) safety of anglers and potential boater-user conflicts.
 - 5) Demonstrates adequate provisions for holding, handling, and releasing caught fish. Specific criteria are:
 - A) Tournament officials must be able to certify that all boats will be required to possess a livewell (except muskie fishing tournaments) measuring at least 18" long, 12" deep, and 12" wide and be fitted with a functioning aerator and water pump.
 - B) Following the weigh-in, fish must be released away from the weigh-in site and as near to the spot where the catch was made as possible by means of a common release boat or vehicle, or by individual boats.
 - C) If a common release boat or vehicle is utilized, the anglers transporting the fish to be released are exempt from the daily creel limit. A common release boat and holding tank used to transport fish for release shall be adequate to

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- carry a tank constructed of a suitable material (aluminum or fiber glass) with smooth interior walls with no obstructions to trap or injure fish. The tank must be able to hold at least one gallon of water per pound of fish, provide adequate aeration, and maintain constant desirable temperature to sustain their well-being. The tank must have operating hatches to prevent fish from jumping out of the tank and allow quick opening and closing for introduction and removal of fish. Detailed specifications on the design and use of a fish holding tank are available upon request from the IDNR, Division of Fisheries. Individual boats and anglers returning their catches of fish back to a release site must adhere to daily creel limits. Tournament officials must be able to certify that a common release boat is being utilized for this tournament.
- D) For catch, weigh-in, and release muskie tournaments, all boats must have a fish cradle (made from netting) to temporarily hold the muskie in the water while an official determines the length or weight of the fish prior to release. Muskies may not be transported to a weigh-in site.
- 6) Adequate identification of participants in fishing tournament for law enforcement purposes. Specific criteria include:
- A) Tournament officials must keep and have available on site a written record or log of daily participants (including names and boat registration numbers) for inspection by Department of Natural Resources officials.
 - B) Each participant and boat must be identified in an easily recognizable manner at a distance (patch on the hat or back).
 - d) Failure to acquire a permit as referenced in subsection (a) above is a petty offense and will result in denial of future applications for a Fishing Tournament Permit by that applicant, sponsor or group for a period up to 5 years.

(Source: Amended at 23 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Medical Payment
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3) Section Numbers:
- | | | |
|---------|-------------|------------------|
| 140.430 | Amendment | Proposed Action: |
| 140.431 | Amendment | |
| 140.432 | Amendment | |
| 140.433 | Amendment | |
| 140.434 | Amendment | |
| 140.438 | New Section | |
| 140.467 | Amendment | |
| 140.560 | Amendment | |
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

5) Complete Description of the Subjects and Issues Involved: Proposed changes are being made to allow providers to enroll in a new category of service, imaging centers. New Section 140.438 concerning imaging centers covers definitions, participation requirements, covered services, reimbursement and record requirements. The Department will reimburse imaging centers for services including magnetic resonance imaging (MRI), mammograms, fluoroscopy, ultra sound, CT scans, nuclear medicine and x-rays on a fee-for-service basis.

Proposed amendments are also being made to Sections 140.430 through 140.434, which pertain to laboratory services, to accommodate the imaging center provisions. These changes are necessary to define laboratory services as "clinical laboratory services" and to strike references to portable x-ray services in these laboratory related Sections.

These proposed changes concerning imaging centers and laboratory services are necessary to allow providers to enroll for the new category of service, imaging centers, and bill the Department for the technical component of the services provided. Presently, the Department provides reimbursement for the technical component only if the equipment is owned by a single physician, or it is owned by a hospital, as long as it is on the hospital premises. However, payment is not made for the technical component if the equipment is owned by a group of physicians, or a corporation, or owned by a hospital but located off hospital premises. The proposed changes will permit providers to enroll and bill the Department properly and allow the Department to capture information from claims and improve service to clients. Present policy encourages hospitals to send Medicaid clients to main campus facilities instead of off-site locations. These changes will eliminate this practice and encourage hospitals to better serve their Medicaid clients through improved accessibility.

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Proposed amendments are also being made to Section 140.560 regarding downsizing to close or reduce the bed capacity of intermediate care facilities for persons with developmental disabilities (ICF/MR) that are downsizing either because of concerns relating to Department of Public Health licensure issues or for programmatic reasons. These proposed changes pertain to ICF/MR facilities that are licensed for ICF/DD or SNF/PED services. The amendments provide extensive description of the downsizing process, facility eligibility for downsizing and the specific effect of such downsizing on a facility's capital, support and program rates. Final program rates will be determined according to the methodology described at 89 Ill. Adm. Code 144. Since the ICF/MR program falls under the responsibility of the Department of Human Services (DHS), and the Department serves as the State agency for reimbursement under the Medicaid program, staff of DHS' Division of Disability and Behavioral Health Services have worked with Department staff to prepare these proposed amendments.

These proposed amendments concerning imaging centers and ICF/MR downsizing are not expected to result in any significant budgetary changes.

- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.
- 11) Time, Place, and Manner in which Interested Persons May Comment on this Proposed Rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Joanne Jones
Bureau of Rules and Regulations
Illinois Department of Public Aid
201 South Grand Ave., E., 3rd Floor
Springfield, Illinois 62763

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

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These proposed amendments may have an impact on small businesses, small municipalities, and not-for-profit corporations as defined in Sections 1-75, 1-80 and 1-85 of the Illinois Administrative Procedure Act [5 ILCS 100/1-75, 1-80, 1-85]. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/5-30]. These entities shall indicate their status as small businesses, small municipalities, or not-for-profit corporations as part of any written comments they submit to the Department.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Clinical laboratories, imaging centers and intermediate care facilities for persons with developmental disabilities (ICF/DD)

B) Reporting, bookkeeping or other procedures required for compliance:
None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on Which this Proposed Rulemaking Was Summarized: July 1998 (downsizing provisions for ICF/WR facilities)

The imaging center services proposal was not included in either of the 2 most recent regulatory agendas because: This proposed rulemaking was inadvertently omitted.

The full text of the proposed amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 140
MEDICAL PAYMENT

SUBPART A: GENERAL PROVISIONS

Section	
140.1	Incorporation By Reference
140.2	Medical Assistance Programs
140.3	Covered Services Under Medical Assistance Programs
140.4	Covered Medical Services Under AFDC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)
140.5	Covered Medical Services Under General Assistance
140.6	Medical Services Not Covered
140.7	Medical Assistance Provided to Individuals Under the Age of Eighteen Who Do Not Qualify for AFDC and Children Under Age Eight
140.8	Medical Assistance For Qualified Severely Impaired Individuals
140.9	Medical Assistance for a Pregnant Woman Who Would Not Be Categorically Eligible for AFDC/AFDC-MANG if the Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
140.10	Medical Assistance Provided to Incarcerated Persons

SUBPART B: MEDICAL PROVIDER PARTICIPATION

Section	
140.11	Enrollment Conditions for Medical Providers
140.12	Participation Requirements for Medical Providers
140.13	Definitions
140.14	Denial of Application to Participate in the Medical Assistance Program
140.15	Recovery of Money
140.16	Termination or Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program
140.17	Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program
140.18	Effect of Termination on Individuals Associated with Vendor
140.19	Application to Participate or for Reinstatement Subsequent to Termination, Suspension or Barring
140.20	Submittal of Claims
140.21	Covered Medicaid Services for Qualified Medicare Beneficiaries (QMBs)
140.22	Magnetic Tape Billings
140.23	Payment of Claims
140.24	Payment Procedures
140.25	Overpayment or Underpayment of Claims
140.26	Payment to Factors Prohibited

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140.27 Assignment of Vendor Payments
 140.28 Record Requirements for Medical Providers
 140.30 Audits
 140.31 Emergency Services Audits
 140.32 Prohibition on Participation, and Special Permission for Participation
 140.33 Publication of List of Terminated, Suspended or Barred Entities
 140.35 False Reporting and Other Fraudulent Activities
 140.40 Prior Approval for Medical Services or Items
 140.41 Prior Approval in Cases of Emergency
 140.42 Limitation on Prior Approval
 140.43 Post Approval for items or Services When Prior Approval Cannot Be Obtained
 140.55 Recipient Eligibility Verification (REV) System
 140.71 Reimbursement for Medical Services Through the Use of a C-13 Invoice
 140.72 Voucher Advance Payment and Expedited Payments
 140.73 Drug Manual (Recodified)
 Drug Manual Updates (Recodified)

SUBPART C: PROVIDER ASSESSMENTS

Section
 140.80 Hospital Provider Fund
 140.82 Developmentally Disabled Care Provider Fund
 140.84 Long Term Care Provider Fund
 140.94 Medicaid Developmentally Disabled Provider Participation Fee Trust
 Fund/Medicaid Long Term Care Provider Participation Fee Trust Fund
 Hospital Services Trust Fund
 140.95 Hospital Services Trust Fund
 140.96 General Requirements (Recodified)
 140.97 Special Requirements (Recodified)
 140.98 Covered Hospital Services (Recodified)
 140.99 Hospital Services Not Covered (Recodified)
 140.100 Limitation On Hospital Services (Recodified)
 140.101 Transplants (Recodified)
 140.102 Heart Transplants (Recodified)
 140.103 Liver Transplants (Recodified)
 140.104 Bone Marrow Transplants (Recodified)
 140.110 Disproportionate Share Hospital Adjustments (Recodified)
 140.116 Payment for Inpatient Services for GA (Recodified)
 140.117 Hospital Outpatient and Clinic Services (Recodified)
 140.200 Payment for Hospital Services During Fiscal Year 1982 (Recodified)
 140.201 Payment for Hospital Services After June 30, 1982 (Repealed)
 140.202 Payment for Hospital Services During Fiscal Year 1983 (Recodified)
 140.203 Limits on Length of Stay by Diagnosis (Recodified)
 140.300 Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Setting (Recodified)
 Copayments (Recodified)
 140.350 Payment Methodology (Recodified)
 140.360

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140.361 Non-Participating Hospitals (Recodified)
 140.362 Pre July 1, 1989 Services (Recodified)
 140.363 Post June 30, 1989 Services (Recodified)
 140.364 Prepayment Review (Recodified)
 140.365 Base Year Costs (Recodified)
 140.366 Restructuring Adjustment (Recodified)
 140.367 Inflation Adjustment (Recodified)
 140.368 Volume Adjustment (Repealed)
 140.369 Groupings (Recodified)
 140.370 Rate Calculation (Recodified)
 140.371 Payment (Recodified)
 140.372 Review Procedure (Recodified)
 140.373 Utilization (Repealed)
 140.374 Alternatives (Recodified)
 140.375 Exemptions (Recodified)
 140.376 Utilization, Case-Mix and Discretionary Funds (Repealed)
 140.390 Subacute Alcoholism and Substance Abuse Services (Recodified)
 140.391 Definitions (Recodified)
 140.392 Types of Subacute Alcoholism and Substance Abuse Services (Recodified)
 140.394 Payment for Subacute Alcoholism and Substance Abuse Services (Recodified)
 140.396 Rate Appeals for Subacute Alcoholism and Substance Abuse Services (Recodified)
 140.398 Hearings (Recodified)

SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

Section
 140.400 Payment to Practitioners, Nurses and Laboratories
 140.410 Physicians' Services
 140.411 Covered Services By Physicians
 140.412 Services Not Covered By Physicians
 140.413 Limitation on Physician Services
 140.414 Requirements for Prescriptions and Dispensing of Pharmacy Items - Physicians
 140.416 Optometric Services and Materials
 140.417 Limitations on Optometric Services
 140.418 Department of Corrections Laboratory
 140.420 Dental Services
 140.421 Limitations on Dental Services
 140.422 Requirements for Prescriptions and Dispensing Items of Pharmacy Items - Dentists
 140.425 Podiatry Services
 140.426 Limitations on Podiatry Services
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140.582	Cost Adjustments
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140.855	Covered Services (Repealed)
140.860	Sponsor Qualifications (Repealed)
140.865	Sponsor Responsibilities (Repealed)
140.870	Department Responsibilities (Repealed)
140.875	Provider Qualifications (Repealed)
140.880	Provider Responsibilities (Repealed)
140.885	Payment Methodology (Repealed)
140.890	Contract Monitoring (Repealed)
140.895	Reimbursement For Program Costs (Active Treatment) For Clients In Long Term Care Facilities For the Developmentally Disabled (Recodified)
140.896	Reimbursement For Nursing Costs For Geriatric Residents in Group Care Facilities (Recodified)
140.900	Functional Areas of Needs (Recodified)
140.901	Service Needs (Recodified)
140.902	Definitions (Recodified)
140.903	Times and Staff Levels (Repealed)
140.904	Statewide Rates (Repealed)
140.905	

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140.906 Reconsiderations (Recodified)
 140.907 Midnight Census Report (Recodified)
 140.908 Times and Staff Levels (Recodified)
 140.909 Statewide Rates (Recodified)
 140.910 Referrals (Recodified)
 140.911 Basic Rehabilitation Aide Training Program (Recodified)
 140.912 Interim Nursing Rates (Recodified)

TABLE E Time Limits for Processing of Prior Approval Requests
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 140.926 Client Eligibility (Repealed)
 140.928 Client Enrollment and Program Components (Repealed)
 140.930 Reimbursement
 140.932 Payment Authorization for Referrals (Repealed)

AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act [20 ILCS 2215/Art. III] and implementing and authorized by Articles III, IV, V, VI and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V, VI and 12-13].

SUBPART H: ILLINOIS COMPETITIVE ACCESS AND REIMBURSEMENT EQUITY (ICARE) PROGRAM

Section
 140.940 Illinois Competitive Access and Reimbursement Equity (ICARE) Program (Recodified)
 140.942 Definition of Terms (Recodified)
 140.944 Notification of Negotiations (Recodified)
 140.946 Hospital Participation in ICARE Program Negotiations (Recodified)
 140.948 Negotiation Procedures (Recodified)
 140.950 Factors Considered in Awarding ICARE Contracts (Recodified)
 140.952 Closing an ICARE Area (Recodified)
 140.954 Administrative Review (Recodified)
 140.956 Payments to Contracting Hospitals (Recodified)
 140.958 Admitting and Clinical Privileges (Recodified)
 140.960 Inpatient Hospital Care or Services by Non-Contracting Hospitals Eligible for Payment (Recodified)
 140.962 Payment to Hospitals for Inpatient Services or Care not Provided under the ICARE Program (Recodified)
 140.964 Contract Monitoring (Recodified)
 140.966 Transfer of Recipients (Recodified)
 140.968 Validity of Contracts (Recodified)
 140.970 Termination of ICARE Contracts (Recodified)
 140.972 Hospital Services Procurement Advisory Board (Recodified)
 TABLE A Medichex Recommended Screening Procedures (Repealed)
 TABLE B Geographic Areas
 TABLE C Capital Cost Areas
 TABLE D Schedule of Dental Procedures

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868, effective September 20, 1983; peremptory amendment at 7 Ill. Reg. 15047, effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; codified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg. 6983, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, 1984; emergency amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at 8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm. Code 141 at 8 Ill. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17899; peremptory amendment at 8 Ill. Reg. 18151, effective September 18, 1984; amended at 8 Ill. Reg. 21629, effective October 19, 1984; peremptory amendment at 8 Ill. Reg. 21677, effective October 24, 1984; amended at 8 Ill. Reg. 22097, effective October 24, 1984; peremptory amendment at 8 Ill. Reg. 22155, effective October 29, 1984; amended at 8 Ill. Reg. 23218, effective November 20, 1984; emergency amendment at 8 Ill. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 25067, effective December 19, 1984; emergency amendment

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at 9 Ill. Reg. 407, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 2697, effective February 22, 1985; amended at 9 Ill. Reg. 6235, effective April 19, 1985; amended at 9 Ill. Reg. 8677, effective May 28, 1985; amended at 9 Ill. Reg. 9564, effective June 5, 1985; amended at 9 Ill. Reg. 10025, effective June 26, 1985; emergency amendment at 9 Ill. Reg. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11357, effective June 28, 1985; amended at 9 Ill. Reg. 12000, effective July 24, 1985; amended at 9 Ill. Reg. 12306, effective August 5, 1985; amended at 9 Ill. Reg. 13998, effective September 3, 1985; amended at 9 Ill. Reg. 14684, effective September 13, 1985; amended at 9 Ill. Reg. 15503, effective October 4, 1985; amended at 9 Ill. Reg. 16312, effective October 11, 1985; amended at 9 Ill. Reg. 19138, effective December 2, 1985; amended at 9 Ill. Reg. 19737, effective December 9, 1985; amended at 10 Ill. Reg. 238, effective December 27, 1985; emergency amendment at 10 Ill. Reg. 798, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 672, effective January 6, 1986; amended at 10 Ill. Reg. 1206, effective January 13, 1986; amended at 10 Ill. Reg. 3041, effective January 24, 1986; amended at 10 Ill. Reg. 6981, effective April 16, 1986; amended at 10 Ill. Reg. 7825, effective April 30, 1986; amended at 10 Ill. Reg. 8128, effective May 7, 1986; emergency amendment at 10 Ill. Reg. 8912, effective May 13, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 11440, effective June 20, 1986; amended at 10 Ill. Reg. 14714, effective August 27, 1986; amended at 10 Ill. Reg. 15211, effective September 12, 1986; emergency amendment at 10 Ill. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 18808, effective October 24, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 10 Ill. Reg. 21784, effective December 15, 1986; amended at 11 Ill. Reg. 698, effective December 19, 1986; amended at 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, effective January 16, 1987; amended at 11 Ill. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 4303, effective March 6, 1987; amended at 11 Ill. Reg. 7664, effective April 15, 1987; emergency amendment at 11 Ill. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9169, effective April 28, 1987; amended at 11 Ill. Reg. 10903, effective June 1, 1987; amended at 11 Ill. Reg. 11528, effective June 22, 1987; amended at 11 Ill. Reg. 12011, effective June 30, 1987; amended at 11 Ill. Reg. 12290, effective July 6, 1987; amended at 11 Ill. Reg. 14048, effective August 14, 1987; amended at 11 Ill. Reg. 14771, effective August 25, 1987; amended at 11 Ill. Reg. 16758, effective September 28, 1987; amended at 11 Ill. Reg. 17295, effective September 30, 1987; amended at 11 Ill. Reg. 18696, effective October 27, 1987; amended at 11 Ill. Reg. 20909, effective December 14, 1987; amended at 12 Ill. Reg. 916, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 5427, effective March 15, 1988; amended at 12 Ill. Reg. 6246, effective March 16, 1988; amended at 12 Ill. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140.912 and 140.912 Table I recodified to 89 Ill. Adm. Code 147.5 thru 147.205 and 147.205 and 147.205 Table B at 12 Ill. Reg. 6956; amended at 12 Ill. Reg. 6927, effective April 5, 1988; Sections

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140.940 thru 140.972 recodified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; amended at 13 Ill. Reg. 7025, effective April 24, 1989; Sections 140.850 thru 140.896 recodified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 recodified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; emergency expired July 14, 1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7141, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249, effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826, effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg.

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18057, effective October 22, 1990; amended at 14 Ill. Reg. 18508, effective October 30, 1990; amended at 14 Ill. Reg. 18813, effective November 6, 1990; amended at 14 Ill. Reg. 20478, effective December 7, 1990; amended at 14 Ill. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 1051, effective January 18, 1991; Section 140.569 withdrawn at 15 Ill. Reg. 1174; amended at 15 Ill. Reg. 6220, effective April 18, 1991; amended at 15 Ill. Reg. 6534, effective April 30, 1991; amended at 15 Ill. Reg. 8264, effective May 23, 1991; amended at 15 Ill. Reg. 8972, effective June 17, 1991; amended at 15 Ill. Reg. 10114, effective June 21, 1991; amended at 15 Ill. Reg. 10466, effective July 1, 1991; amended at 15 Ill. Reg. 11176, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 11515, effective July 25, 1991, for a maximum of 150 days; emergency expired December 22, 1991; emergency amendment at 15 Ill. Reg. 12919, effective August 15, 1991, for a maximum of 150 days; emergency expired January 12, 1992; emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 17318, effective November 18, 1991; amended at 15 Ill. Reg. 17733, effective November 22, 1991; emergency amendment at 15 Ill. Reg. 300, effective December 20, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 174, effective December 24, 1991; amended at 16 Ill. Reg. 1877, effective January 24, 1992; amended at 16 Ill. Reg. 4006, effective March 6, 1992; amended at 16 Ill. Reg. 6408, effective March 20, 1992; amended at 16 Ill. Reg. 6849, effective April 7, 1992; amended at 16 Ill. Reg. 7017, effective April 17, 1992; amended at 16 Ill. Reg. 10050, effective June 5, 1992; amended at 16 Ill. Reg. 11174, effective June 26, 1992; expedited correction at 16 Ill. Reg. 11348, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 11947, effective July 10, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 12186, effective July 24, 1992; emergency amendment at 16 Ill. Reg. 13337, effective August 14, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 15109, effective September 21, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 15561, effective September 30, 1992; amended at 16 Ill. Reg. 17302, effective November 2, 1992; emergency amendment at 16 Ill. Reg. 18097, effective November 17, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19146, effective December 1, 1992; amended at 16 Ill. Reg. 19879, effective December 7, 1992; amended at 17 Ill. Reg. 837, effective January 11, 1993; amended at 17 Ill. Reg. 1112, effective January 15, 1993; amended at 17 Ill. Reg. 2290, effective February 15, 1993; amended at 17 Ill. Reg. 2951, effective February 17, 1993; amended at 17 Ill. Reg. 3421, effective February 19, 1993; amended at 17 Ill. Reg. 6196, effective April 5, 1993; amended at 17 Ill. Reg. 6839, effective April 21, 1993; amended at 17 Ill. Reg. 7004, effective May 17, 1993; expedited correction at 17 Ill. Reg. 7078, effective December 1, 1992; emergency amendment at 17 Ill. Reg. 11201, effective July 1, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 15162, effective September 2, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 18152, effective October 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 18571, effective October 8, 1993; emergency amendment at 17 Ill. Reg. 18611, effective October 1, 1993, for a

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maximum of 150 days; emergency amendment suspended effective October 12, 1993; amended at 17 Ill. Reg. 20999, effective November 24, 1993; emergency amendment repealed at 17 Ill. Reg. 22583, effective December 20, 1993; amended at 18 Ill. Reg. 3620, effective February 28, 1994; amended at 18 Ill. Reg. 4250, effective March 4, 1994; amended at 18 Ill. Reg. 5951, effective April 1, 1994; emergency amendment at 18 Ill. Reg. 10922, effective July 1, 1994, for a maximum of 150 days; emergency amendment suspended, effective November 15, 1994; emergency amendment repealed at 19 Ill. Reg. 5839, effective April 4, 1995; amended at 18 Ill. Reg. 11244, effective July 1, 1994; amended at 18 Ill. Reg. 14126, effective August 29, 1994; amended at 18 Ill. Reg. 16675, effective November 1, 1994; amended at 18 Ill. Reg. 18059, effective December 19, 1994; amended at 19 Ill. Reg. 1082, effective January 20, 1995; amended at 19 Ill. Reg. 2933, effective March 1, 1995; emergency amendment at 19 Ill. Reg. 3529, effective March 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 5663, effective April 1, 1995; amended at 19 Ill. Reg. 7919, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 8455, effective June 9, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 9297, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 10252, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13019, effective September 5, 1995; amended at 19 Ill. Reg. 14440, effective September 29, 1995; emergency amendment at 19 Ill. Reg. 14833, effective October 6, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15441, effective October 26, 1995; amended at 19 Ill. Reg. 15692, effective November 6, 1995; amended at 19 Ill. Reg. 16677, effective November 28, 1995; amended at 20 Ill. Reg. 1210, effective December 29, 1995; amended at 20 Ill. Reg. 4345, effective March 4, 1996; amended at 20 Ill. Reg. 5858, effective April 5, 1996; amended at 20 Ill. Reg. 6929, effective May 6, 1996; amended at 20 Ill. Reg. 7922, effective May 31, 1996; amended at 20 Ill. Reg. 9081, effective June 28, 1996; emergency amendment at 20 Ill. Reg. 9312, effective July 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 11332, effective August 1, 1996; amended at 20 Ill. Reg. 14845, effective October 31, 1996; emergency amendment at 21 Ill. Reg. 705, effective December 31, 1996, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 3734, effective March 5, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 4777, effective April 2, 1997; amended at 21 Ill. Reg. 6899, effective May 23, 1997; amended at 21 Ill. Reg. 9763, effective July 15, 1997; amended at 21 Ill. Reg. 11569, effective August 1, 1997; emergency amendment at 21 Ill. Reg. 13857, effective October 1, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 1416, effective December 29, 1997; amended at 22 Ill. Reg. 4412, effective February 27, 1998; amended at 22 Ill. Reg. 7024, effective April 1, 1998; amended at 22 Ill. Reg. 10606, effective June 1, 1998; emergency amendment at 22 Ill. Reg. 13117, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16302, effective August 28, 1998; amended at 22 Ill. Reg. 18979, effective September 30, 1998; amended at 22 Ill. Reg. 19898, effective October 30, 1998, amended at 23 Ill. Reg. _____, effective _____.

SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

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Section 140.430 Independent Clinical Laboratory Services

- a) Payment for clinical and/or portable x-ray laboratory services may be made to a laboratory that is independent both of a physician's practice and of a hospital.
- b) In order to participate in the Medical Assistance Program, the independent laboratory must be licensed and certified for participation in the Medicare program. Approval for participation in the program is not transferable and shall only apply to the location and the owner specified on the laboratory's enrollment application.
- c) Payment shall be made for only those laboratory services that have been ordered in writing by the referring practitioner as being essential to diagnosis and treatment. The practitioner must include the diagnosis or condition on the written request.

(Source: Amended at 23 Ill. Reg. _____, effective _____)

Section 140.431 Services Not Covered by Independent Clinical Laboratories Laboratory

- a) Payment shall not be made for any service that a clinical laboratory is not Medicare certified to provide.
- b) Payment shall not be made for the following clinical laboratory services:
 - 1) Any test which has not been performed on the laboratory's premises, by the laboratory's staff, using the laboratory's equipment and supplies.
 - 2) The collection and handling of specimens obtained for referral to another laboratory.
 - 3) Laboratory tests that which are available without charge from other sources, including the Illinois Department of Public Health. The Department will pay, however, for throat cultures when the referring physician determines use of a Department of Public Health laboratory would result in delay in diagnosis and treatment.
 - 4) Sensitivity studies when a culture shows no growth or when a growth is identified as beta hemolytic streptococcus *streptococcus*.
 - 5) Tests ordered for Healthy Kids Medicaid screening purposes.
 - 6) Tests and study of specimens referred as a result of an autopsy examination.
 - 7) Laboratory services provided to recipients eligible for Medicare Part B benefits when the Medicare intermediary determines that the services are not medically necessary.
 - 8) Laboratory services when not specifically required by the condition for which the recipient is being treated.
- c) X-ray laboratory services for which payment shall not be made include:
 - i) Portable x-ray laboratory services provided at a place other than

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the recipient's place of residence--the referring physician must verify the recipient is physically unable to travel to an alternate source for
 2) Routine screening x-rays

(Source: Amended at 23 Ill. Reg. _____, effective _____)

Section 140.432 Limitations on Independent Clinical Laboratory Services

The Department shall pay for the following services only when they are provided in accordance with the limitations specified:

- a) Vitamin B-12 testing - only in those cases in which a completed blood count has shown a macrocytic hemochromic anemia and a high lactic dehydrogenase.
- b) Home Visits - only when the recipient's attending physician indicates on the order that the recipient is physically unable to travel to the laboratory and if it is the custom of the laboratory to charge the general public a home visit fee in addition to the fee for the laboratory service.
- c) Routine, multi-channel multiphasic (battery) tests - only those instances where the tests performed are consistent with the recipient's diagnosis and/or conditions.

(Source: Amended at 23 Ill. Reg. _____, effective _____)

Section 140.433 Payment for Clinical Laboratory Services

- a) Payment for allowable laboratory services includes payment for collection and handling of specimens by laboratory personnel, use of laboratory equipment and supplies, and the written report of test results to the referring practitioner.
- b) Payment for allowable laboratory services provided to recipients who are not eligible for Medicare Part B benefits is based on the laboratory's usual and customary charges within the limitations established by the Department (see Section 140.400).
- c) For recipients eligible for Medicare Part B Coverage, payment is made on deductible and coinsurance amounts up to the limitations established by the Department for the service.
- d) Payment for three or more blood chemistries performed on the same specimen is made on a basis related to the use of automated equipment.
- e) When the laboratory performs profile testing, it must bill the Department by profile. The Department considers two or more thyroid tests performed on the same specimen to be profile testing.

(Source: Amended at 23 Ill. Reg. _____, effective _____)

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Section 140.434 Record Requirements for Independent Clinical Laboratories

- a) In addition to the record requirements specified in Section 140.28, independent clinical laboratories must comply with the administrative rules of the Illinois Department of Public Health governing the State regulations--that govern maintenance of medical records that are found at 7--issued--by--the--Illinois--Department--of--Public--Health--and contained--in--"Rules--for--Clinical--Laboratories--and--Blood--Banks"--(to be codified as 77 Ill. Adm. Code 450, Illinois Clinical Laboratories Code).
- b) The basic records that which must be retained include, but are not limited to:
- 1) All original orders from practitioners for laboratory services for Public Aid recipients.
 - 2) All copies of reports to referring practitioners.
 - 3) Records that which verify usual and customary charges to the general public.
- c) In the absence of proper and complete records, no payment will be made and and/or payments previously made for which services that are not documented will be recouped.

(Source: Amended at 23 Ill. Reg. _____, effective _____)

Section 140.438 Imaging Centers

a) Definitions

- 1) "Imaging Center" means any distinct entity that operates primarily for the purpose of providing diagnostic imaging services. Services provided at an imaging center shall be reimbursed on a fee-for-service basis only and shall not include hospital based clinics that are adjacent to or on the premises of a hospital.
 - 2) "Imaging Services" include the technical services, the professional services or both the technical and professional services provided at an imaging center.
 - 3) "Technical Component" includes services that are furnished in connection with imaging services such as the use of the equipment.
 - 4) "Professional Component" includes services that are furnished by a medical professional in reading the image provided by an imaging center. The professional must be practicing within the scope of his or her specific practice Act and professional license.
 - 5) "Mammography Screening Centers" provide low level preventive, diagnostic, or maintenance screening mammography services, and must be Food and Drug Administration (FDA) certified screening mammography centers that are registered with the Medicare
- Program.
- 6) "Portable X-ray Services" are imaging services limited to x-ray and certain other diagnostic procedures, certified by Medicare, that are performed at the client's place of residence and that are ordered by a referring physician.
- b) Participation Requirements for Imaging Centers
- 1) To participate in the Illinois Medical Assistance program, an imaging center must, in addition to any other Department requirements, be licensed or certified:
 - A) for participation in the Medicare program; or
 - B) by the Joint Commission on Accreditation of Health Care Organizations (JCAHO); or
 - C) by a local or public health department; or
 - D) by any government agency having jurisdiction over the services provided and/or the equipment being used.
 - 2) Portable x-ray facilities shall be approved and certified for participation in the Medicare program. Portable x-ray services may also include diagnostic procedures other than x-rays (for example, PKGS).
 - 3) Mammography screening centers shall be certified by the FDA.
- c) Services Covered by Imaging Centers
- 1) The Department will reimburse imaging centers for the following services that are paid on a fee-for-service basis only:
 - A) Magnetic Resonance Imaging (MRI);
 - B) Mammograms;
 - C) Fluoroscopy services;
 - D) Ultra sound;
 - E) CT scans;
 - F) Nuclear medicine; and
 - G) X-rays.
 - 2) Reimbursement shall be made for only those imaging services that have been ordered in writing by the referring practitioner as being essential to diagnosis and treatment. The practitioner must include the diagnosis or condition on the written request.
 - 3) Reimbursement shall be made only to providers who meet all applicable license, enrollment and reimbursement conditions of the Department.
- d) Services Not Covered by Imaging Centers
- 1) Portable x-ray services provided at a place other than the recipient's place of residence.
 - 2) Routine screening x-rays, except for mammograms.
- e) Record Requirements for Imaging Centers
- 1) In addition to the record requirements specified in Section 140.28, imaging centers must comply with the administrative rules of the Illinois Department of Public Health governing the maintenance of medical records (77 Ill. Adm. Code 450, Illinois Clinical Laboratories Code).
 - 2) The basic records that must be retained include:

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- A) Patient identification.
 B) Medical records containing the dates of service and the name of the referring physician.
 C) The referring practitioner's written orders.
 D) Copies of reports to referring practitioners.
 E) The report of the reading by the professional practitioner if both professional and technical components are billed by the imaging center.
 F) The report of the reading by the professional practitioner that must be retained in the professional practitioner's office if only the professional component is billed by the practitioner.
 G) Records that verify usual and customary charges to the general public.
 3) Medical records for Medical Assistance program clients must be made available to the Department or its designated representative in the performance of audits or investigations.

(Source: Added at 23 Ill. Reg. _____, effective _____)

Section 140.467 Independent Clinics

- a) Payment for all other Medicaid covered services provided by an independent clinic will be made on a fee-for-service basis, that is, the lower of charges or the Department's established maximum for the service, not to exceed the lowest Medicare reimbursement charge levels.
 b) Payments to independent clinics will be subject to two-way reconciliation of payments to reasonable costs.

(Source: Amended at 23 Ill. Reg. _____, effective _____)

SUBPART E: GROUP CARE

Section 140.560 Components of the Base Rate Determination

Except as specified otherwise in this Section, rates calculated for the rate year beginning July 1, 1990, and for subsequent years thereafter shall be based on the facility's cost report for the facility's full fiscal year ending at any point in time during the previous calendar year as long as that cost report is filed prior to April 1. Otherwise, the latest cost report available on March 31 will be used to set rates for July 1. For example, if a facility with a December 31, 1989 year end files their cost report prior to April 1, 1990, that cost report will be used to set rates for the rate year to begin on July 1, 1990. In this example, if the December 31, 1989 cost report is not filed until after March 31, 1990, the December 31, 1988 cost report will be used to set

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rates for the rate year to begin on July 1, 1990.

- a) In the case of a change in ownership of a previously certified facility, the rate issued to the previous owner will be in effect for the remainder of the rate year. A new rate will be calculated for the next rate year based on the new owner's cost report if a cost report covering a minimum of the first six months of operation is received by the Office of Health Finance prior to April 1st. If a cost report covering the first six or more months of operation for the new owner cannot be filed with the Office of Health Finance prior to April 1st, the rate will be calculated based upon the prior owner's cost report filed in accordance with the opening paragraph of this Section. A cost report which has not been completed in accordance with the Department's rules and cost report instructions will not be considered as received until all cost report pages are properly completed.
 b) In the case of a new facility, capital reimbursement will be assigned on the receipt of the first cost report (which may be an abbreviated cost report). The support reimbursement will be set at the median for that region. The facility must then file a six month cost report (beginning with the date the first patient was admitted) that which contains actual historical cost information. The capital and support rates will then be recalculated based upon this cost report. Rates so calculated will become effective go-forward effect on the first day of the first month after the six month cost report is received by the Department's Office of Health Finance. The facility must obtain written verification of the initial cost reporting periods from the Office of Health Finance.
 c) When a construction addition to the building will increase the licensed bed capacity by ten percent or more, the facility may file a revised cost report reflecting the increased capital investment. If this revised cost report is filed within 30 days after the date of the increase in licensure as determined by the Illinois Department of Public Health, any increase in the capital rate will be effective on the effective date of licensure increase. If the revised cost report is filed more than 30 days after the effective date of increase in licensure, any increase in the capital rate will be effective on the first day of the first month after the report is received by the Finance Section.
 d) Once a rate for an individual facility has been calculated, a new rate will not be calculated during the course of the rate year except as provided in subsections (b) and (c) of this Section above.
 e) If a facility incurs building construction improvements which increase the total building cost for the current owner by ten percent or more and which would raise the base year, then the nursing home may file a revised cost report which reports the increased capital investment. The base year is defined in Section 140.570(b)(2). If the improvements have been completed and put into use prior to the forthcoming rate year and the cost report reflecting increased capital costs is filed prior to the beginning of the next rate year, then any

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A) The capital rate will be increased in proportion to the agreed on upon decrease in the census achieved at the end of each benchmark period from the census at the start of the downsizing period for--the-six-month-period. For example, with an original census of 98 residents at the start of the downsizing period and the achievement of a reduction of eight residents to reach the benchmark of 90 residents 187250--days--and--a-projected-census-of-167425, the initial \$7.41 \$6-00 capital rate will be increased to \$8.07 \$6-67 as follows: (the initial capital rate) is multiplied by (the original census that which has been divided by the achieved a-planned census reduction), or $(\$7.41\$6-00) \times (98/90 \text{ or } 1.089 \text{ } 187250/167425) = \$8.07 \$6-67$. The-projected-census-for-each-six-month-period-will-be-adjusted-by-any-difference-between-the-projected-census-for-the-previous-period-and-the-actual-census-for-the-previous-period.

B) The support rate will be increased in proportion to the planned decrease in census achieved at the end of each benchmark period from the census at the start of the downsizing period during--the--six--month-period, with the assumption that 50 percent 50% of the support costs are fixed and 50 percent 50% of the support rate is variable (for example, costs vary as the number of residents varies). The fixed variable half of the support rate will be increased in proportion to the achieved decrease at the end of each benchmark period planned-census-decrease-over-the-six-month-period. For example, with an original support rate of \$22 \$22-00, the estimated support rate for-the-six-month-period would be $[(.5 \times \$22) \times (98/90 \text{ } 187250/167425)] + (.5 \times \$22) = \$22.98 \text{ } 423-22$. The-projected-census--for--each-six--month--period--will--be--adjusted--by--any--difference--between--the--projected--census--for--the--previous--period--and--the--actual--census--for--the--previous--period.

C) The program rate will be set according to the methodology described in DHS rules at 89 Ill. Adm. Code 144 (exclusive of any flat add-on increases) 144-275.

8)5) The support rate for ICF/DD facilities may not exceed the facility's geographic area ceiling. Facilities having SNF/PED licenses, which are reducing facility census to comply with ICF/MR regulations which limit the number of persons per bedroom to four or fewer, may exceed increase the facility's geographic area ceiling but by no more than 125 percent %. The exception allowing SNF/PED facilities to exceed the support rate geographic area ceiling will only be based on the reduction in census to attain four or fewer persons per bedroom. If a SNF/PED facility reduces census below that required to attain four persons per bedroom, the support rate may not exceed the facility's geographic area ceiling.

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9) At the conclusion of the downsizing period the capital, support and program rates will be determined as follows:

A) The capital rate component will be fixed at the final downsizing rate and will remain in effect until such time as the rate methodology in effect produces a rate based on the downsized licensed capacity that surpasses the downside capital rate amount. The final downside capital rate will be increased by funding changes such as cost of living increases, when given. All space in the facility must continue to be used as an ICF/DD or SNF/PED. Use of the facility for an on-site developmental training program, school services or uses unrelated to the operation of the facility as an ICF/DD or SNF/PED, will require the calculation of the capital rate according to the methodology of Sections 140.570 through 140.574 after an adjustment of the facility's capital costs in proportion to the involved square footage. This capital rate will be effective the first day of the month following the change in space usage. Capital improvements to the downsized facility may be made and will be reimbursed as an increase to the downside capital rate determined as the applicable percentage rate of return of the capital methodology times the per diem per bed reported amount of the improvement. The support rate in effect at the end of the downsizing period will remain in effect until a cost report covering the first six months of operation of the downsized facility is submitted as would be in subsection (b) of this Section. These six-month costs applicable to a new facility in accordance with provisions in subsection (b) of this Section. These six-month costs and the corresponding days of care will be used to set the support rate in accordance with the support component rate methodology in effect.

B) The program rate will be set according to the methodology described at 89 Ill. Adm. Code 144.

6) Bed-Reserves

Facilities--with--a--downsizing--agreement--with--the--Department--will--be--exempt--during--the--period--of--downsizing--from--the--93%--or--higher--occupancy--requirement--which--is--specified--in--Section--140-5237--Bed--Reserves--Once--the--final--agreed--upon--census--has--been--achieved--all--bed--reserve--requirements--will--again--be--in--effect--beginning--with--the--quarter--following--completion--of--the--downsizing--agreement--(January-17-April-17-July-1-or-October-1)

(Source: Amended at 23 Ill. Reg. _____, effective _____)

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1) Heading of the Part: Nursing Education Scholarships2) Code Citation: 77 Ill. Adm. Code 5973) Section Numbers: Proposed Action:

597.200 Amendment
 597.210 Amendment
 597.220 Amendment
 597.320 Amendment

4) Statutory Authority: Implementing and authorized by the Nursing Education Scholarship Law [110 ILCS 975]5) A Complete Description of the Subjects and Issues Involved: This rulemaking provides clarification of application requirements, description of scholarships, selection criteria for award of scholarships, and repayment and forgiveness of scholarships.6) Will this Rulemaking Replace an Emergency Rule Currently in Effect? No7) Does this Rulemaking Contain an Automatic Repeal Date? No8) Does this Rulemaking Contain any Incorporations by Reference? No9) Are there any Other Proposed Amendments Pending on this Part? No10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State Mandate.

11) Time, Place, and Manner in which Interested Persons May Comment on this Rulemaking: Interested persons may present their comments concerning these rules by writing within 45 days after this issue of the *Illinois Register* to:

Ms. Gail M. DeVito
 Division of Legal Services
 Illinois Department of Public Health
 535 West Jefferson, Fifth Floor
 Springfield, Illinois 62761
 217/782-2043
 E-mail: rules@idph.state.il.us

12) Initial Regulatory Flexibility Analysis:A) Type of Small Businesses, Small Municipalities and Not-for-Profit Corporations Affected: NoneB) Reporting, Bookkeeping or Other Procedures Required for Compliance:

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None

C) Types of Professional Skills Necessary for Compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on the 2 most recent regulatory agendas because: the decision to propose this rulemaking had not been made when the Regulatory Agendas were finalized.

The full text of the Proposed Amendments begins on the next page:

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER g: GRANTS TO DENTAL AND MEDICAL STUDENTS

PART 597
NURSING EDUCATION SCHOLARSHIPS

SUBPART A: INTRODUCTION

Section
597.10 Definitions

SUBPART B: ELIGIBILITY AND APPLICATION

Section
597.100 Eligibility
597.110 Application

SUBPART C: AWARD OF SCHOLARSHIPS

Section
597.200 Scholarship Description
597.210 Determination of Financial Need
597.220 Selection Criteria for Award of Scholarships

SUBPART D: TERMS OF PERFORMANCE

Section
597.300 Contract
597.310 Repayment of Scholarship
597.320 Forgiveness of Scholarship

AUTHORITY: Implementing and authorized by the Nursing Education Scholarship Law [110 ILCS 975].

SOURCE: Adopted at 17 Ill. Reg. 13763, effective August 10, 1993; amended at 18 Ill. Reg. 17720, effective November 30, 1994; amended at 21 Ill. Reg. 4828, effective March 29, 1997; amended at 23 Ill. Reg. _____, effective _____.

SUBPART C: AWARD OF SCHOLARSHIPS

Section 597.200 Scholarship Description

a) Scholarships for tuition, fees, and living expenses will be awarded by the Department through approved institutions. Scholarships will be awarded to eligible students who meet the eligibility requirements as outlined in Section 597.100 of this Part and who agree to the

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provisions of the contract agree to the provisions of the contract and who meet the eligibility requirements as outlined in Section 597.100 of this Part.

b) A full-time student pursuing an associate degree in nursing, a hospital-based nursing diploma or a baccalaureate degree in nursing may receive a scholarship of up to \$2,500 per academic year for living expenses and up to \$2,000 per academic year for tuition and fees for a maximum of \$4,500 per academic year, less any other assistance as reported by the recipient's educational institution. A scholarship shall be for \$2,500 per year for living expenses for the full-time student and up to \$2,000 per year for full-time tuition and fees; or a maximum of \$4,500 per year, less any other State or federal assistance received by applicant to assist applicant's pursuit of an associate degree in nursing or hospital-based nursing program diploma, or baccalaureate degree in nursing, or practical nursing diploma (Section 7-of-the-law).

c) A part-time student pursuing an associate degree in nursing, a hospital-based nursing diploma or a baccalaureate degree in nursing may receive a scholarship of up to \$2,000 per academic year for tuition and fees, less any other assistance as reported by the recipient's educational institution. A scholarship may be made to a part-time (but not less than 1/3 time) student but it shall cover only tuition and fees and shall not exceed the aggregate of \$4,000 for the total time applicant may take to complete the associate degree nursing education program, or hospital-based program in nursing, or baccalaureate nursing program, or practical nursing education program (Section 7-of-the-law).

d) A student pursuing an associate degree in nursing or a hospital-based nursing diploma on a full-time basis may receive a scholarship for 3 academic years. A student pursuing an associate degree in nursing or a hospital-based nursing diploma on a part-time basis may receive an aggregate of \$4,000 for the total time it takes to complete the degree. The full-time student applicant may receive a scholarship for 3 academic years if pursuing an associate degree in nursing or hospital-based nursing program diploma, and for 4 academic years if pursuing a baccalaureate in nursing degree and for one year if pursuing a practical nursing diploma (Section 7-of-the-law).

e) A student pursuing a baccalaureate degree in nursing on a full-time basis may receive a scholarship for four academic years; or, if on a part-time basis, for an aggregate of \$4,000 for the total time it takes to complete the degree.

f) A student pursuing a practical nursing certificate on a full-time basis may receive a scholarship for one academic year for a maximum of \$4,500.

g) A student pursuing a practical nursing certificate on a part-time basis may receive a scholarship for one academic year for a maximum of \$2,000.

h) The scholarship is paid to an approved institution on behalf of the

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recipient and is based on tuition and fee amounts requested by the financial aid office at the institution up to the annual maximum amount. If enrollment is reported as full-time, a living expense stipend is also paid according to the following definitions:

- 1) two {3} semesters are equivalent to an academic year and each semester of full-time enrollment warrants a stipend of \$1,250, not to exceed a maximum of \$2,500 during any one academic year.
- 2) three {3} quarters or trimesters are equivalent to an academic year and each quarter/trimester warrants a stipend of \$833, not to exceed a maximum of \$2,500 during any one academic year.

i) {4} Scholarship awards for tuition and fees for students at approved private approved institutions shall not exceed the Statewide average tuition and fees for students at approved public approved institutions for the academic year in which the scholarship is made.

(Source: Amended at 23 Ill. Reg. _____, effective _____)

Section 597.210 Determination of Financial Need

Financial need will be documented by means of a current on-the Student Aid Report (SAR) supplied by the applicant.

(Source: Amended at 23 Ill. Reg. _____, effective _____)

Section 597.220 Selection Criteria for Award of Scholarships

a) Recipients shall be selected on the basis of the following criteria:

- 1) preference for renewal recipients;
- 2) greatest financial need when the number of qualified applicants exceeds the number of scholarships to be awarded;
- 3) least-amount-of-other-financial/gift-assistance-for-applicants who-have-equal-financial-need;-and
- 4) for-practical-nursing-applicants--lottery--among-applicants--who-have-equal-financial-need;-or
- 3) {5} in each of the education categories of for associate degree in nursing, hospital-based nursing diploma, and baccalaureate degree in nursing, applicants with the least number of hours remaining to degree completion.*

A) least-number-of-hours-remaining-to-degree-completion;-and
B) for--applicants--within-each-nursing-category;-lottery-among applicants-who-have-an-equal-number-of-hours--remaining--to degree-completion;

b) When multiple applicants meet the selection criteria equally, a lottery will be used to select scholarship recipients.

- 1) A lottery will be used, for associate degree in nursing, hospital-based nursing diploma and baccalaureate degree in

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nursing applicants, to select between those who have the same number of credit hours remaining to complete their degree.

- 2) A lottery will be used for practical nursing applicants who have equal financial need.

c) {b} At least one-half {1/2} of the scholarships awarded shall be to for recipients who shall attend State supported schools (Section 5 of the Law).

b) {c} of the 500 scholarships provided each year, at least 50 shall go to persons entering an approved practical nursing education program of not less than one academic year (Section 5 of the Law). If program funds are not sufficient to provide 500 scholarships, at least 10 percent {10%} of the funding shall go to persons entering an approved practical nursing education program of not less than one academic year.

e) {d} The Department shall develop and annually revise a scholarship distribution formula that, at a minimum, considers but is not limited to the following:

- 1) The number of professional nurses licensed in the State by the Department of Professional Regulation (Section 10 of the Law).
- 2) The number of practical nurses licensed in the State by the Department of Professional Regulation (Section 10 of the Law).
- 3) The number of scholarship applicants pursuing an approved practical nursing program of not less than one academic year, an associate degree in nursing, a hospital-based nursing diploma, and a baccalaureate degree in nursing. The number-of-scholarship applicants--pursuing--baccalaureate--degree--nursing--education programs,--associate--degree--professional--nursing--education programs,--diploma--professional--nursing--education--programs,--and approved--practical--nursing--education--programs--of--not-less-than one-academic-year (Section-10-of-the-law);
- 4) The number of students enrolled in an approved practical nursing program of not less than one academic year, an associate degree in nursing, a hospital-based nursing diploma, and a baccalaureate degree in nursing. The number--of--students--enrolled--in baccalaureate--degree--nursing--education--programs--associate--degree professional--nursing--education--programs,--diploma--professional nursing--education--programs,--and--approved--practical--nursing education--programs--of--not-less-than-one-academic-year (Section-10 of-the-law);

(Source: Amended at 23 Ill. Reg. _____, effective _____)

SUBPART D: TERMS OF PERFORMANCE

Section 597.320 Forgiveness of Scholarship

- a) Forgiveness of the scholarship through nursing employment requires the

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recipient be licensed as a registered professional nurse or as a practical nurse in the State of Illinois.

- b) For each full-time semester, the nursing employment obligation is 6 months of full-time employment; for each part-time semester, the nursing employment obligation is 3 months of full-time employment; for each full-time quarter/trimester, the nursing employment obligation is 4 months of full-time employment; for each part-time quarter/trimester, the nursing employment obligation is 2 months of full-time employment; for each full-time summer term, the full-time nursing employment obligation is 3 months of full-time employment; for each part-time summer term, the full-time nursing employment obligation is 1 1/2 months of full-time employment. The part-time nursing employment obligation is twice the full-time nursing employment obligation. The total nursing employment obligation for any one academic year shall not exceed twelve months of full-time employment.

- c) Beginning not later than 6 months after graduation, a recipient must begin nursing employment within the State of Illinois as a registered professional nurse or a licensed practical nurse. Fulfillment of the scholarship obligation through nursing employment must be completed within a 7 year period from the time of graduation.

- a) During the 7 year period immediately following a recipient's graduation, a scholarship to a recipient shall be excused and deemed satisfied pursuant to the requirements of Section 5 of the law as follows:

- 1) if a scholarship is provided for full-time academic work, the scholarship is excused when the recipient has documented:
 - A) substantially full-time employment in a professional nursing practice in Illinois for a number of years equal to the number of years scholarship funds were received; or
 - B) substantially part-time employment in a professional nursing practice in Illinois for twice the number of years as the number of years scholarship funds were received;
- 2) if a scholarship is provided for part-time academic work, the scholarship is excused when the recipient has documented:
 - A) substantially full-time employment in a professional nursing practice in Illinois for one-half (1/2) the number of years as the number of years scholarship funds were received; or
 - B) substantially part-time employment in a professional nursing practice in Illinois for a number of years equal to the number of years scholarship funds were received;

- d) Forms to document nursing employment shall be the above are sent to the recipient following graduation and licensure by the Department at the appropriate time according to the date of completion of the degree. Documentation forms will be forwarded periodically to the recipient until the nursing employment obligation is completed, at which time the recipient will be notified and the record closed. When the scholarship is determined to be satisfied, the recipient is

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officially notified and the record is closed.
 e) If the recipient spends up to 4 years in military service before or after graduation he or she graduates, the period of military service shall be excluded from the computation of that 7 year period (Section 6 of the Law).

f) A recipient who is enrolled in an academic program leading to a graduate degree in nursing shall have the period of graduate study excluded from the computation of that 7 year period (Section 6 of the Law).

g) If a recipient dies or suffers total and permanent disability either while pursuing the degree or after completing the degree if the recipient is engaged in an activity as described in this Section up to the onset of the fatal illness or the disability, the scholarship or any balance due on it shall be excused and deemed satisfied. (See the definition of "Total and Permanent Disability" in Section 597.10.)

(Source: Amended at 23 Ill. Reg. _____, effective _____)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Acquisition, Management and Disposal of Real Property

- 2) Code Citation: 44 Ill. Adm. Code 5000

<u>Section Numbers:</u>	<u>Adopted Action:</u>
5000.120	Amend
5000.230	Amend
5000.231	New
5000.232	New
5000.233	New
5000.234	New
5000.235	New
5000.240	Amend
5000.250	Amend
5000.660	Amend

- 4) Statutory Authority: Public Act 90-572 [30 ILCS 500]

- 5) Effective Date of Amendments: November 16, 1998

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Do these Amendments contain incorporations by reference? No

- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

- 9) Date Notice of Proposal Published in Illinois Register: May 15, 1998, 22 Ill. Reg. 8053

- 10) Has JCAR issued a Statement of Objections to the Amendments? No

- 11) Differences between proposal and final version: In Section 5000.660(a)(2), added the following: "Receipts payable by income in kind shall be strictly documented by grain receipts or other generally accepted accounting practices to verify value of income paid in kind."

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will these amendments replace an emergency amendment currently in effect? Yes

- 14) Are there any amendments pending on this Part? No

- 15) Summary and Purpose of Amendments: Amends existing rules to incorporate

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NOTICE OF ADOPTED AMENDMENTS

changes mandated by the Illinois Procurement Code, Public Act 90-572.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Stephen W. Seiple
720 Stratton Office Building
Springfield, IL 62706
(217) 782-9669

The full text of the Adopted Amendments begin on the next page:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENTS

TITLE 44: GOVERNMENT CONTRACTS, PROCUREMENT AND

PROPERTY MANAGEMENT

SUBTITLE D: PROPERTY MANAGEMENT

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 5000

ACQUISITION, MANAGEMENT AND DISPOSAL OF REAL PROPERTY

SUBPART A: GENERAL

Section

5000.100

Authority

5000.110

Policy

5000.120

Applicability

SUBPART B: LEASED SPACE ACQUISITION POLICY

Section

5000.200

General Policy and Responsibility

5000.210

Requests for Space/Agency Responsibilities

5000.220

Acquisition Authority

5000.230

General Acquisition Procedures

5000.231

Acquisition of Leases by RFI

5000.232

Leases Acquired by Other Methods

5000.233

Renewal or Extension of Lease in Effect Prior to July 1, 1998

5000.234

Renewal of Leases Entered into After July 1, 1998

5000.235

Purchase Options

5000.240

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5000.250

Emergency Lease Procurement

SUBPART C: BUILDING STANDARDS

Section

5000.300

Scope

5000.310

Area Measurement

5000.320

Space Planning Assistance

5000.330

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5000.340

Space Allowance and Standards

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Office Furnishing

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Vending Facilities/Blind Operators

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Improvements

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Assignment and Management by DCMS

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Assignment by Agencies

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Reviews and Appeal of Space Assignment Actions

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5000.500

Space Inspections and Surveys

5000.510

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Release of Space Not Fully Utilized

5000.530

Notice to DCMS of Relinquishment or Termination of Space

SUBPART F: EXCESS REAL PROPERTY

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5000.600

Excess Real Property Defined

5000.610

Reports of Excess Real Property

5000.620

Utilization of Excess Real Property

5000.630

Charges for Use of Excess Property

5000.640

Temporary Occupancy

5000.650

Disputes

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Non-State Use

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5000.700

Surplus Real Property Defined

5000.710

Declaration of Surplus

5000.720

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5000.730

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5000.740

State Agency Requests for Surplus Real Property

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Transfer Decisions

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Transfer Procedures

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5000.780

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5000.790

Sale of Surplus

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5000.810

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5000.820

Public Sale

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Public Sale Procedures

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Applicability

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5000.910	Definitions
5000.920	Business Hours and Public Access
5000.930	Prohibited Activities
5000.940	Demonstrations
5000.950	Exhibits and Special Events
5000.960	Distribution of Leaflets and Solicitations of Funds, Voter Registration and Signatures
5000.970	Severability

APPENDIX A	Space Standards
APPENDIX B	Rental Fees

AUTHORITY: Implementing Section 7.1 of the State Property Control Act [30 ILCS 605/7.1], implementing and authorized by Sections 51, 67.02, 67.06, 67.07, 67.22 and 67.24 of the Civil Administrative Code of Illinois [20 ILCS 5/51 and 20 ILCS 405/67.02, 67.06, 67.07, 67.22 and 67.24] and authorized by Section 6 of the State Property Control Act [30 ILCS 605/6], and the Illinois Procurement Code [30 ILCS 500] (see P.A. 90-572).

SOURCE: Adopted at 6 Ill. Reg. 12984, effective October 13, 1982; emergency amendment at 7 Ill. Reg. 3743, effective March 18, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 7825, effective June 22, 1983; emergency amendment at 8 Ill. Reg. 13444, effective July 17, 1984, for a maximum of 150 days; codified at 8 Ill. Reg. 19345; amended at 10 Ill. Reg. 636, effective December 31, 1985; amended at 17 Ill. Reg. 1006, effective January 19, 1993; emergency amendment at 17 Ill. Reg. 2361, effective February 5, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 10753, effective July 1, 1993; amended at 18 Ill. Reg. 1886, effective January 21, 1994; emergency amendment at 17 Ill. Reg. 15653, effective September 9, 1993, for a maximum of 150 days; amended at 19 Ill. Reg. 585, effective January 9, 1995; amended at 20 Ill. Reg. 15002, effective November 7, 1996; emergency amendment at 22 Ill. Reg. 12569, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg.

20545, effective **NOV 16 1998**.

SUBPART A: GENERAL

Section 5000.120 Applicability

This Part applies these rules apply to any activity of the Department of Central Management Services pertaining to the acquisition, management or disposal of State owned or leased real property. This Part shall be read in conjunction with applicable provisions of the Standard Procurement Rules, 44 Ill. Adm. Code 1. In the event of any conflict, this Part shall prevail over the Standard Procurement Rules. Department of Central Management Services authority is divided as follows:

- a) For purposes of leasing office and other space, the DCMS shall conduct all leasing activities as described herein for all State agencies, authorities, boards, commissions, departments, institutions, bodies

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- b) For purposes of space assignment in DCMS managed buildings, all agencies must abide by this Part these rules.
- c) For purposes of leasing State land, DCMS has primary authority over land controlled by the several departments. No department may lease State land without the approval of DCMS except that the Department of Natural Resources Conservation, Transportation, Mines and Minerals and Agriculture may lease land under their jurisdiction to comply with program functions.
- d) Only DCMS may dispose of surplus State land.
- e) Any State agency, board, commission, etc., not required by statute or rule to use DCMS real estate services, may elect to do so.

(Source: Amended at 22 Ill. Reg. **20545**, effective **NOV 16 1998**.)

SUBPART B: LEASED SPACE ACQUISITION POLICY

Section 5000.230 General Acquisition Procedures

- a) DCMS will review State-owned space and space leased by other agencies which may be suitable to fill the agency space request. Such space, because it involves no outside expenditure or because use would avoid unnecessary lease costs, will be used in preference to newly acquired leased space. Exceptions will only be granted upon strong justification submitted by the head of the agency requesting space.
- b) If no suitable State-owned or controlled space is available, DCMS will so advise the requesting agency.
- c) To help ensure that DCMS personnel have awareness of comparable facilities, DCMS will periodically solicit information from property owners and managers regarding space that might be available for State use.
- d) DCMS will maintain proposals received from solicitations for at least twelve months from date of receipt. These proposals will be reviewed to determine whether any locations are suitable to fill a particular space request.
- e) Acquisition of leased space will be by negotiation. In acquiring space, DCMS will negotiate with multiple lessors of comparable facilities to the maximum extent practical.
- d) Acquisition of space by lease will be on the basis most favorable to the State, with due consideration to maintenance and operational efficiency, and only at charges consistent with prevailing rates in the community for comparable facilities. In those instances where alterations to a property are needed, DCMS will review and approve the scope of work and method of payment prior to the commencement of

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work. Agencies are not to perform alterations to leased properties or enter into contracts for alterations without DCMS approval. DCMS will not, however, approve any lease or renovations therein without the agency desiring the space making a positive recommendation. Factors that could influence the decision to approve alterations include but are not limited to: length of term, cost relative to base cost, cost of base plus alterations compared to other site costs, degree of permanency of alterations, and demonstrated program need for alterations.

e)g) DCMS shall determine the appropriate term for a given lease (not to exceed 10 years unless paid solely by federal funds) and negotiate accordingly. The particular terms and conditions of a given lease will in general conform to DCMS standard lease form provisions. Changes, additions or deletions to these terms shall be at DCMS' discretion. Agency input will be solicited prior to negotiation.

f)h) DCMS will attempt to negotiate a favorable renewal option, State-option cancellation clause, and purchase option provision when appropriate.

g)j) All leases shall be accompanied by a full written disclosure of the identity of every owner and beneficiary having any interest in the premises being leased.

1) Such disclosure shall be subscribed and sworn or otherwise affirmed on oath by an owner, authorized trustee, corporate official, or managing agent.

2) Such disclosure shall set forth all ownership interests. By way of example, the disclosure should identify the names of the beneficiaries of a land trust in addition to the trustee, the names of all partners whether general or limited in nature, and the names of all shareholders in a corporation who are entitled to receive more than 7 1/2% of the total distributable income of the corporation. If stock in a corporation is publicly traded and no readily known individual owns more than a 7 1/2% interest, then the requirements of this rule may be met by an officer or managing agent of the corporation making an affirmative statement to this effect under oath.

3) Such disclosure shall set forth the identity of any State officer, employee or elected official, or the wife, husband, or minor child of such person having an ownership or beneficial interest under the lease. In the event such person is so set forth, the disclosure shall include a specific designation of the percentage of the total distributable income such person, together with that of the wife, husband, or minor child of such person, is entitled to receive from any firm, partnership, association, or corporation which is the lessor.

4) It shall be the responsibility of the lessor to notify DCMS of any changes in ownership or beneficial interest and to submit updated disclosure statements reflecting such changes within 30 days after such change.

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h) All leases shall be in writing and shall include:

1) a provision that they are subject to termination and cancellation in any year for which the General Assembly fails to make an appropriation to make payments under the terms of the lease.

2) a termination option in favor of the State after 5 years.

i) Space that is not in compliance with the applicable accessibility regulations (see Appendix A) or is not capable of being brought in compliance with the installation of minimum essential features of accessibility by the time of occupancy, shall not be considered for use.

j) A copy of all leases whose annual rent is \$10,000 or more shall be filed with the Comptroller within 15 days after their execution by the Director of DCMS.

k) In selecting sites, preference may be given to sites located in enterprise zones, TIF districts, or redevelopment districts when requested by the Chief Executive Officer of a unit of local government located within the boundaries of the site search area.

5) Updated disclosure is required for all existing leases in effect on the effective date of this rule. For all such leases, a report must be submitted within 30 days after the effective date of these rules which:

A) discloses any changes of ownership or beneficial interests from those previously reported; or

B) confirms that there have been no changes.

6) The failure of a lessor to provide the disclosure required under the provisions of this Section shall be deemed a material breach of the lease and shall constitute grounds for termination of the lease agreement.

7) There shall be a standardized record-keeping and investigative procedure employed by DCMS personnel between the initial request by an agency for leasehold facilities and the time of executing a lease. This procedure is as follows:

i) The request for space by an agency shall be assigned to a DCMS leasing representative whose responsibility it shall be to assemble potential leasing facilities.

A) In doing so, the leasing representative shall view prospective facilities, gather necessary leasehold data, photograph potential sites, detail name of owner of building and prospective terms of lease, obtain copy of multiple listing sheet, if property has been placed on the market, obtain comparable square foot costs in the immediate vicinity, and prepare written memorandum to immediate superior detailing such above information. All documentary information shall be a permanent of the DCMS file.

B) Should any employee or representative of the agency desiring space be involved in viewing prospective locations, the name of such individual shall be noticed on the written report.

C) There shall be no dissemination of any information by either

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agency--personnel--or--DCMS--personnel--concerning--prospective locations--to--anyone--outside--the--respective--agencies--involved in--the--leasing--search:

B) The leasing representative shall transmit the result of any leasehold--potentials--to--his--immediate--supervisor--together with--a--recommendation--for--further--action.

2) Upon receipt from the leasing representative of potential lease arrangements, the supervisor shall review the documentary evidence and be responsible for

A) negotiating with any potential lessor or authorizing negotiations by the subordinate or other party and communicating to the particular agency any facts necessary

B) to enable agency personnel to have meaningful input into the leasehold negotiation.

3) Any proposed lease which contains non-standard terms, together with all negotiated items, shall be submitted to the DCMS legal counsel with a memorandum by the supervisor outlining the negotiations and detailing the oral representations which the parties have tentatively agreed upon.

4) Counsel for DCMS shall, at this point, review the original memorandum and the items of negotiation, review the prospective lease as to form and legal validity, and issue a written recommendation to the leasing supervisor regarding approval.

5) The Director or designee after a complete review of all documentation shall make the final decision with regard to the execution of the lease.

6) After internal review, the lease documents will be prepared by DCMS and sent to the lessor and using agency for signature. The lease will then be returned to DCMS for final execution and distribution.

(Source: Nov 16 1998 22 Ill. Reg. 20545, effective

Section 5000.231 Acquisition of Leases by RFI

All leases, except those falling under the exceptions listed in Section 5000.232 or emergency procurements (Section 5000.250) will be acquired as follows.

a) All leases will be procured by a Request for Information (RFI). RFIs will contain at a minimum the following information:

1) A description of the general type of property to be leased.

2) The proposed use of the property.

3) The proposed term of the lease.

4) Preferred location of the property.

5) General information such as size of space, configuration desired and any other appropriate requirements.

6) Address to which requests for proposal may be sent.

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7) Date on which responses are due.

b) Notices of the RFI shall be:

1) published at least 14 days prior to the deadline for responding in both the Illinois Procurement Bulletin and a newspaper having general circulation in the area in which space is being sought.

2) of an appropriate size to draw attention and shall be placed in the legal advertisement section.

c) A proposal package shall be mailed to all parties requesting one in writing. Proposal packages may also be mailed to owners of property that may meet the State's needs.

d) Proposal packages shall at a minimum include:

1) A Proposal Form.

2) A copy of the Agency Program Requirements.

3) An envelope for submitting the proposal.

4) The date on which proposals must be submitted.

e) All responses to the RFI will be publicly opened on the announced opening date. Names of all parties submitting proposals will be made available to the public.

f) DCMS representatives may conduct discussions with respondents to further clarify the needs of the State or obtain further information on responses.

g) On the basis of the responses to the RFI, the Director of DCMS or his designee shall make a written determination of which RFIs submitted are responsive to the State's basic criteria.

h) DCMS representatives will enter into negotiations with all parties submitting responsive RFIs for the purpose of obtaining the best terms for the State. A written record of all negotiations will be maintained by DCMS.

i) The DCMS leasing manager shall review all relevant information and shall recommend to the Director of DCMS which proposal should be accepted.

j) The Director of DCMS will make the final award, which will be announced in the Illinois Procurement Bulletin.

k) The lease will be reduced to writing and executed by all parties.

l) Should the lowest priced proposal not be selected, the Director of DCMS shall publish notice, along with the reasons for such selection, in the next available edition of the Procurement Bulletin.

m) The State reserves the right to reject any and all proposals and to request and evaluate "best and final" proposals. All decisions on compliance, evaluations, terms and conditions shall be made solely at the State's discretion and made to favor the State.

(Source: Added at 22 Ill. Reg. 20545, effective Nov 16 1998)

Section 5000.232 Leases Acquired by Other Methods

a) The following types of leases may be acquired without a formal RFI

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process.

- 1) Leases of less than 10,000 square feet as determined by DCMS space measurement standards (see Appendix A).
 - 2) Leases whose base rent is estimated to be less than \$100,000 per year.
 - 3) Leases whose term is less than one year and whose term is not subject to renewal.
 - 4) Specialized space available only at one location. Specialized space is defined as space or unique function or configuration, not generally available on the market on an as built or turnkey basis. Examples of specialized space include, but are not limited to: laboratories, vehicle testing stations, correctional facilities, medical facilities, boat docks and evidence storage facilities.
 - 5) Leases with other governmental units.
- b) Acquisition of such leases shall be by negotiation. Written summaries of all negotiations shall be maintained in DCMS files.
- c) DCMS is not restricted to negotiating only with those who respond to advertisements. DCMS shall remain responsible to consider other buildings or space known to meet general criteria.
- d) Recommendation of sites shall be reduced to writing and the final determination shall be made by the Director of DCMS. Reasons for selection shall be documented and maintained in DCMS lease files.
- e) None of the above shall prohibit the Director of DCMS from ordering a lease procurement to be made under the RFI provisions of Section 5000.231 if the Director deems it in the best interests of the State.

(Source: Added at 22 Ill. Reg. 20545, effective NOV 16 1998)

Section 5000.233 Renewal or Extension of Lease in Effect Prior to July 1, 1998

Leases in effect prior to July 1, 1998 may be renewed or extended without advertisement or an RFI process if:

- a) The Director of DCMS determines that the renewal or extension is in the best interest of the State.
- b) The Director submits that determination in writing, along with the proposed renewal or extension, to the State Procurement Board.
- c) The Board does not object in writing within 30 days after submission.
- d) The Director of DCMS publishes notice of the renewal or extension in the next available issue of the Procurement Bulletin.

(Source: Added at 22 Ill. Reg. 20545, effective NOV 16 1998)

Section 5000.234 Renewal of Leases Entered into After July 1, 1998

- a) Leases may be renewed if:

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- 1) The Director of DCMS determines in writing that such renewal is in the best interest of the State.
- 2) Notice of such renewal is published in the Procurement Bulletin at least 60 days prior to the exercise of such option.
- b) Documentation justifying renewals shall be maintained in DCMS lease files.

(Source: Added at 22 Ill. Reg. 20545, effective NOV 16 1998)

Section 5000.235 Purchase Options

- a) All leases of free standing facilities shall contain an option to purchase exercisable by the State.
- b) Purchase options may be omitted if:
 - 1) The lease is with a governmental entity or a not-for-profit entity.
 - 2) The Director of DCMS determines that a purchase option is not in the State's best interest and publishes his/her written determination in the Procurement Bulletin.

(Source: Added at 22 Ill. Reg. 20545, effective NOV 16 1998)

Section 5000.240 Lease Administration

- a) DCMS will perform all functions of leasing building space and land ~~incidentai-thereto-for--covered--State--agencies--except--as--provided herein.~~ Agencies otherwise authorized to acquire space by lease may request DCMS to perform such leasing functions in specific instances.
- b) Officials or employees of agencies for which DCMS will acquire leased space shall at no time, before or after a space request is submitted to DCMS or after a lease agreement is made, directly or indirectly contact lessors, offerors, or potential offerors for the purpose of making oral or written representation or commitments or agreements with respect to the terms of occupancy of particular space, tenant improvements, alterations and repairs, unless authorized by DCMS. Consequently, when it is ascertained by DCMS that an unauthorized contact has been made, lease acquisition action may be deferred until its nature and impact can be determined. Whenever an unauthorized contact is judged by the responsible DCMS leasing official to be detrimental to the State's interest, further leasing action may be suspended for such time as may be required to eliminate or minimize the detrimental impact.
- c) Lessors, offerors, or potential offerors, or their agents, shall be referred to the appropriate DCMS office.
- d) Agencies shall not negotiate lease terms, negotiate settlements, withhold rentals, or vacate a leased property without the prior

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approval of DCMS. Agencies are encouraged to deal with minor landlord/tenant problems (i.e., minor repairs, building comfort complaint, etc.) at a local level. Any significant difficulties shall immediately be reported to the appropriate DCMS Office for handling. All problems shall be noted on the local level on the forms provided by DCMS for this purpose and proper records maintained for use in the event a specific problem goes unresolved and further action is required.

e) Each agency is responsible for budgeting sufficient money in appropriate line items to cover all obligations. Payments are to be made by the occupying agency and will not be considered the responsibility of DCMS.

f) Except when deemed by the State Procurement Board to be in the best interest of the State, no State agency may incur rental obligations before occupying the space rented.

(Source: Amended at 22 Ill. Reg. 20545, effective NOV 16 1998)

Section 5000.250 Emergency Lease Procurement

Emergency lease procurements may be made pursuant to 44 Ill. Adm. Code 1.2030 of the Standard Procurement Rules.

a) The Director may, upon good cause shown, suspend the application of Subparts A-B of this Part governing the acquisition of leased real property in the event of a natural disaster, including but not limited to fire, flood or other casualty or agency action required by the order of a court of competent jurisdiction where strict compliance with the applicable rule would result in consequences adverse to the best interests of the State.

b) All requests for emergency suspension of applicable rules in a proposed lease transaction shall be accompanied by a written memorandum to the Director from the responsible leasing official setting forth the following:

- 1) A detailed description of the natural disaster or the requirements of a court order precipitating the request;
- 2) A detailed description of the proposed leasing transaction;
- 3) A narrowly drawn specification of the rule or rules sought to be suspended in application to the proposed leasing transaction;
- 4) A specific indication that no reasonable alternatives exist to the suspension of the rule or rules which would be in the best interests of the State.

c) Prior to submission to the Director the written memorandum of request shall be reviewed and approved by DCMS legal counsel.

d) The Director, after review of the memorandum of request, may grant the suspension sought in whole or in part, with respect to the proposed lease transaction; provided, however, that such suspension shall apply only to leases with terms not to exceed 2 years in duration.

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(Source: Amended at 22 Ill. Reg. 20545, effective NOV 16 1998)

Section 5000.660 Non-State Use

a) Excess Real Property

1) Excess real property which cannot be used by a State agency may be leased to the public, with governmental units being the preferred tenants, for periods of time not to exceed five years unless longer periods are authorized by statute. Vacant land shall be leased for periods of longer than five years, if one of the following conditions is present:

A) The lease is made with an organization which is providing program-related services to a State agency, a not-for-profit organization or a unit of local government and those services require the lessee to make permanent capital improvements to the leased land.

2) Rental shall be at the current fair market value payable to the proper State Treasury account in cash except that leases of Department of Corrections property for farming may be paid by crop share to the State. Receipts payable by income in kind shall be strictly documented by grain receipts or other generally accepted accounting practices to verify value of income paid in kind. Rental may be waived or reduced to less than fair market value upon a showing of clear advantage to the State. Use of property for agency program related purposes or to prevent waste of the property are examples of clear advantage.

b) Leases of excess property for office or storage use shall be accomplished by direct negotiation or sealed bidding pursuant to 44 Ill. Adm. Code 1.2010.

c) Leases of excess property for farm purposes will be accomplished by sealed bid, pursuant to 44 Ill. Adm. Code 1.2010. Invitations for Bid will be published at least 3 times in a ten-day period in a newspaper having general circulation in the county containing the property. This notice will inform all interested parties about the property, term of the lease, bid opening date and how to obtain additional information. At the date set for bid opening all bids will be read aloud and recorded. The winning bidder will be the one whose bid provides the best monetary return to the State and which meets all other conditions of the bid. A 10% performance bond or other security may be required of the winning bidder.

d) Improvements made to State land will be forfeited to the State unless removed by lessee without damaging State property. Upon removal, lessee will restore the State property to its original condition unless specific written permission to the contrary is given.

(Source: Amended at 22 Ill. Reg. 20545, effective

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NOTICE OF ADOPTED AMENDMENTS

MAY 18 1998

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED RULES

1) Heading of the Part: Business Enterprise Program: Contracting with Businesses Owned and Controlled by Minorities, Females and Persons with Disabilities

2) Code Citation: 44 Ill. Adm. Code 10

3) Section Numbers:

	<u>Adopted Action:</u>
10.05	New
10.10	New
10.20	New
10.21	New
10.22	New
10.23	New
10.24	New
10.25	New
10.30	New
10.35	New
10.40	New
10.50	New
10.55	New
10.60	New
10.61	New
10.62	New
10.63	New
10.64	New
10.65	New
10.66	New
10.67	New
10.68	New
10.69	New
10.70	New
10.71	New
10.72	New
10.80	New
10.90	New
10.91	New
10.100	New

4) Statutory Authority: Public Act 90-572 [30 ILCS 500 and 30 ILCS 575]

5) Effective Date of Rules: November 16, 1998

6) Does this rulemaking contain an automatic repeal date? No

7) Do these rules contain incorporations by reference? No

8) A copy of the adopted rule, including any material incorporated by reference, is on file in the agency's principal office and is available

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for public inspection.

9) Date Notice of Proposal Published in Illinois Register: May 29, 1998, 22 Ill. Reg. 8933

10) Has JCAR issued a Statement of Objections to the rules? No

11) Differences between proposal and final version:

In Section 10.35, first sentence, after the word "artistic", inserted the following language: "service (as defined in Article 35 of the Illinois Procurement Code)".

In Section 10.40(a)(1), deleted "Black" and inserted "African American".

Section 10.63 Heading, changed "Entity" to "Entities".

In Section 10.72(e), changed "one year" to "three years".

In Section 10.90(c), after the word "vendor", inserted the following language: "awarded a contract with Section 10.80 provisions".

In Section 10.100(f), after the word "actions", inserted the following language: "of the Council".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these rules replace an emergency rule currently in effect? Yes

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: The rules will replace the current rules found at 44 Ill. Adm. Code 1 with a new set of rules that have been reorganized and revised to better reflect current practices.

16) Information and questions regarding these adopted rules shall be directed to:

Stephen W. Seiple
720 Stratton Office Building
Springfield IL 62706
(217)782-9669

The full text of the Adopted Rules begin on the next page

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED RULES

TITLE 44: GOVERNMENT CONTRACTS, PROCUREMENTS, AND PROPERTY MANAGEMENT
SUBTITLE A: PROCUREMENT AND CONTRACT PROVISIONS
CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 10

BUSINESS ENTERPRISE PROGRAM: CONTRACTING WITH BUSINESSES OWNED AND CONTROLLED BY MINORITIES, FEMALES AND PERSONS WITH DISABILITIES

SUBPART A: GENERAL

Section
10.05 Introduction
10.10 Definitions

SUBPART B: GOAL AND GOAL MEASUREMENT

Section
10.20 Goal
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Section
 10.100 Violations by Vendor

AUTHORITY: Implementing and authorized by the Business Enterprise for Minorities, Females and Persons with Disabilities Act [30 ILCS 575].

SOURCE: Adopted by emergency rulemaking at 22 Ill. Reg. 12584, effective July 1, 1998, for a maximum of 150 days; adopted at 22 Ill. Reg. 20560, effective NOV 16 1998.

SUBPART A: GENERAL

Section 10.05 Introduction

The Business Enterprise for Minorities, Females, and Persons with Disabilities Act [30 ILCS 575] (Act) establishes a goal that at least 12% of contracts awarded by State agencies subject to the Act be awarded to businesses owned and controlled by minorities, females, or persons with disabilities. The Act also authorizes development and use of a procedure to certify firms eligible for the benefits of the Act, allows for certain special treatment in contracting with

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certified businesses, and establishes a Council, Secretary and, in the Department of Central Management Services, a program function to implement and oversee the Act.

Section 10.10 Definitions

"BEP" or "Business Enterprise Program" means the activities conducted by the Council, Secretary and Department of Central Management Services pursuant to the Act.

"BEP eligible" or "BEP eligible vendor" means an MBE, FBE, or PBE.

"Council" means the public body established by the Act to implement and oversee implementation of the Business Enterprise Program.

"Eligible group member" means a person who meets the eligibility requirements set forth in Section 10.40(a) of this Part.

"FBE" means a business owned and controlled by females in accordance with the requirements of the Act and this Part.

"MBE" means a business owned and controlled by minorities in accordance with the requirements of the Act and this Part.

"PBE" means a business owned and controlled by persons with disabilities in accordance with the requirements of the Act and this Part.

"Secretary" means the individual appointed to act as Secretary to the Council and to be manager of the BEP Division of the Department of Central Management Services.

SUBPART B: GOAL AND GOAL MEASUREMENT

Section 10.20 Goal

Unless modified by resolution of the Council, the goal shall be 5% of contracts for MBES, 5% for FBEs and 2% for PBEs.

Section 10.21 Contracts and Expenditures Subject to the Goal

All contracts funded in whole or in part with funds appropriated by the General Assembly are subject to the goal unless exempted elsewhere in this Part.

Section 10.22 Categories of Contracts and Expenditures Exempt from Goal

- a) Contracts shall be exempt from the goal if:
- 1) the contract is subject to federal reimbursement; or

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- 2) receipt of funds for a contract would be jeopardized by including them in the Program.
- b) The Council has determined, pursuant to Section 7(2) of the Act, that the following categories of contracts and expenditures, including but not limited to the detailed expenditure accounts listed below each category, are exempt from the goal. This determination was made based on the best information available that these categories do not represent procurement opportunities for MBES, FBES or PBES, or that there are not sufficient MBES, FBES or PBES to ensure competition and an expectation of reasonable prices. The detailed expenditure accounts have the same meaning as used by the State Comptroller (see Statewide Accounting Management System manual, formerly CUSAS, chapter 11, Expenditure Authority. A copy of this manual is available in the Secretary's office).
- 1) Contracts between, or within, State agencies that do not include payments to private vendors:
 - A) University Central Data Processing Services;
 - B) University Central Plant Services;
 - C) University Central Supply Services;
 - D) University Central Telecommunication Services; and
 - E) University Central Transportation Services.
- 2) Contracts with or payments to other governmental entities:
 - A) Payments to Local Governments for Employeees;
 - B) Reimbursements to Governmental Units;
 - C) Postage and Postal Charges;
 - D) Operating Taxes, Licenses and Fees;
 - E) Revenue Stamps;
 - F) Taxes and Transfers;
 - G) Fire Protection Services;
 - H) Shared Waterway Agreements; and
 - I) Shared Revenue Payments.
- 3) Employee wages, salary and other payroll and employee related costs:
 - A) Payments into Pension Funds;
 - B) Pensions, Annuities and Benefits;
 - C) Purchase of Investments;
 - D) Employee Tuition Fees;
 - E) Social Security;
 - F) Retirement;
 - G) Unemployment Compensation Payments;
 - H) Legislative Staff Services;
 - I) Registration Fees and Conference Expenses;
 - J) Industrial Commission Awards or Settlement Awards for Injured Employees; and
 - K) Awards, Benefits and Treatment Expenses - Injured Employees.
- 4) Payments of money to individuals or groups in the nature of reimbursement, settlement, entitlement, or assistance:
 - A) Assistance Payments to Individuals;

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- B) Awards and Grants to Students;
- C) Burial Expense Awards;
- D) Community Services for DMHDD and Chemically Dependent;
- E) Court of Claims Awards;
- F) Reimbursement for Living Expenses for State Wards Outside State Institutions;
- G) Tuition, Training Supplies and Equipment for Aided Persons;
- H) Lottery Prizes;
- I) Interviewee Expenses; and
- J) Tort Claims.
- 5) Debt retirement and refunds of money:
 - A) Debt Retirement;
 - B) Loans; and
 - C) Refunds.
- 6) Grants:
 - A) Grants for Educational Purposes - School Districts;
 - B) Grants for Educational Purposes - Higher Education;
 - C) Grants to Local Governments (other);
 - D) Grants to Non-Profit Organizations;
 - E) Grants to Other State Agencies; and
 - F) Grants to or on behalf of Veterans and their Dependents.
- 7) Public utility contracts and payments:
 - A) Electricity;
 - B) Gas (Natural Gas);
 - C) Telecommunications (regulated service only);
 - D) Water; and
 - E) Utilities (Other).
- 8) Real estate acquisition:
 - A) Land (Relocation Costs);
 - B) Land, Relocation Costs (Highways);
 - C) Land, Relocation Costs (Waterways);
 - D) Land, Rights of Way and Easements;
 - E) Land, Rights of Way and Easements (Highway); and
 - F) Land, Rights of Way and Easements (Waterways).
- 9) Miscellaneous contracts and expenditures:
 - A) Association Dues; and
 - B) Periodical Subscriptions.
- c) Prior to the end of each fiscal year, the Secretary shall investigate the categories of contracts and expenditures to determine whether, based on the best information available, these categories continue to represent procurements where there are no opportunities for MBES, FBES or PBES, or that there are not sufficient MBES, FBES or PBES to ensure competition and an expectation of reasonable prices. The Secretary shall present the determination to the Council, and the Council shall either continue with the current categories or change the categories. The categories shall remain as stated in this Part until the Part is amended.

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Section 10.23 Council Review of Agency Requests for Specific Exemptions

- a) Any State agency may request that the Council exempt specific contracts or expenditures from the goal. The agency must show, based on the best information available, that the particular contract does not represent a procurement opportunity for MBEs, FBEs or PBEs, or that there are not sufficient MBEs, FBEs or PBEs to ensure competition and an expectation of reasonable prices. The agency must provide a copy of any Invitation for Bids, Request for Proposals or other solicitation information issued, the amount of anticipated expenditures that would be exempt and the total agency appropriation. The documentation must show the agency engaged in a diligent effort to identify and solicit BEP eligible vendors, and the results of that effort.

- 1) A diligent effort requires, at a minimum, solicitation of appropriate vendors from the master vendor list maintained by the Council and advertising in appropriate media.

- 2) Whether the price quoted is reasonable shall be determined based upon current market prices, historic prices, prices received by other agencies for similar supplies or services, and the policy of the Business Enterprise Act to promote businesses owned by minorities, females and persons with disabilities.

- b) The Council shall exempt specific contracts from the goal if, after reviewing the information provided by the agency, it determines that the agency did make a diligent effort to contract with MBEs, FBEs and PBEs and that the price was not reasonable. Any action by the Council to approve or deny a request for specific exemption shall be by resolution passed by the Council.

Section 10.24 Goal Measurement

- a) The goal shall be measured on a full fiscal year basis. The goal shall be measured against the total dollar amount of expenditures subject to the goal. Expenditures not covered are those described in Sections 10.22 and 10.23.

- b) Certain purchasing agencies, such as the Department of Central Management Services and the Capital Development Board, are responsible for establishing contracts for other (user) agencies. Those purchasing agencies shall be responsible for meeting the goal for such contracts even though the user agency may have the appropriation to fund the contract. To properly account for the goal in these situations, the following procedures shall be followed:

- 1) The user agency shall review its budget and subtract from its appropriation in each major or minor object code the amount it anticipates spending on contracts established by the purchasing agency. The purchasing agency shall report that amount to the Secretary.
- 2) Those amounts reported by user agencies to the Secretary shall be

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assigned by the Secretary to the appropriate purchasing agency. Such amounts will be included in the amount upon which the purchasing agency goal is based. This procedure does not result in money actually being transferred from the user agency to the purchasing agency. Rather, the transfer is for compliance plan accounting purposes only.

- 3) If a purchasing agency delegates procurement authority to a user agency, the purchasing agency's goal base shall be reduced in amount of the delegation and the user agency's goal base shall be increased in like amount.

- 4) If the user agency transfers money from a line subject to a purchasing agency's authority, the purchasing agency's goal base shall be reduced by that amount and the user agency's goal base shall be increased by the amount of the transfer.

Section 10.25 Subcontracting

An agency may satisfy its goal, in whole or in part, by counting expenditures made by State vendors to certified BEP vendors as subcontractors.

SUBPART C: AGENCY COMPLIANCE AND REPORTING

Section 10.30 Agency Compliance

- a) Each agency shall submit a compliance plan annually. The Council shall establish the format and timetable for submission of the plan. The Council shall approve the plan if it meets the requirements of the Act and this Part.

- b) The Council, on its own motion or upon request of a purchasing agency, shall recommend ways in which the purchasing agency may reach its goal. Upon a finding by the Council that a purchasing agency's compliance plan is insufficient to reach the agency's goal, the Council shall recommend ways in which the agency can reach its goal. Such recommendations may include, but shall not be limited to:

- 1) using stronger and better focused solicitation efforts to obtain more BEP eligible businesses as potential sources of supply;
- 2) division of job or project requirements, when economically feasible, into smaller, more manageable, tasks or quantities;
- 3) elimination of extended experience or capitalization requirements when programmatically feasible; and
- 4) identification of specific proposed contracts as particularly attractive or appropriate for participation by BEP eligible businesses.

- c) If the compliance plans or quarterly reports indicate the agency's goal will not be reached, the Council may request the agency head to appear before the Council and explain the agency's non-compliance. If the Council determines the agency is not making a serious effort to reach the goal, the Council will prepare a report for submission to

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the Governor with recommendations for remedial action.

Section 10.35 Professional and Artistic Contract Reporting

Agencies shall report to the Council, except in emergency situations, professional and artistic service (as defined in Article 35 of the Illinois Procurement Code) contracting opportunities. The report is required by Section 6a of the Act and shall be made as follows:

- a) The agency must give notice to the Council that it intends to enter into a professional and artistic contract on the same day that the potential vendor is first contacted. Notice may be mailed, hand delivered, sent by fax, or transmitted in electronic form.
- b) The notice shall include the agency name and address; contact person; contract reference number; date bid or proposal was first available; return dates and opening dates; term of the contract; services to be provided; special requirements; and dollar value. Notice may be given on the form available from the Secretary.
- c) If the professional and artistic contract is advertised in the Illinois Procurement Bulletin, the agency need not make a report to the Council.

SUBPART D: PROGRAM ELIGIBILITY

Section 10.40 Program Eligibility

a) Businesses owned and controlled by individuals in the following eligible groups may submit applications for certification:

- 1) African American - a person having origins in any of the black racial groups in Africa.
 - 2) Hispanic - a person of Spanish or Portuguese culture with origins in Mexico, South or Central American or the Caribbean (regardless of race).
 - 3) American Indian or Alaskan Native - a person having origins in any of the original people of North America.
 - 4) Asian American - a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent or the Pacific Islands.
 - 5) Female - a person who is a citizen or lawful, permanent resident of the United States, and who is of the female gender.
 - 6) Person with a disability.
- b) MBE, FBE and PBE refer to for-profit enterprises regardless of form of organization (sole proprietorship, partnership or corporation). However, not-for-profit entities that meet the definition of a sheltered workshop for the disabled in accordance with Section 45-35 of the Illinois Procurement Code [30 ILCS 500] will also be classified as PBE.

SUBPART E: CERTIFICATION

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Section 10.50 General

- a) The primary purpose of the certification process is to verify that the business is owned and controlled by BEP eligible individuals in accordance with requirements of the Act and this Part. The Secretary to the Council will oversee the certification process. The certification procedure consists of the requirements and procedures outlined in this Section.
- b) The Secretary will certify an applicant firm that meets all of the requirements of the Act and this Part. The Secretary will conduct a routine review and reconsideration of each certified business at least one time every three years to ensure continued eligibility.
- c) Only certified businesses are eligible for the benefits of the Program. Agencies may count only those expenditures with a certified vendor, or subcontractor, toward meeting the goal.
- d) A business owned and controlled by females shall be certified as a FBE regardless of the ethnicity of the female owners.
- e) For a business to qualify as MBE, only those minorities who are male may be counted in determining ownership and control.
- f) A business owned and controlled 50% by minority males and 50% by minority females is a MBE for purposes of the Act.
- g) A business owned and controlled at least 51% by any combination of minorities, females and persons with disabilities shall be counted as a business owned and controlled by the eligible group that has the largest percentage of ownership. When there is a tie, the business shall select the eligible group classification.
- h) A business owned and controlled by a person with a disability, or by an entity that is a not-for-profit agency for the disabled, is a PBE regardless of the ethnicity or gender of the owner or owners.
- i) These classifications facilitate consistent accounting of agency contract awards to businesses covered by the Act. These classifications do not preclude such businesses or not-for-profit agencies from receiving any contract that may be awarded under the Illinois Procurement Code [30 ILCS 500] or other applicable law.

Section 10.55 List of Certified Businesses

- a) The Secretary, on behalf of the Council, shall compile a list of businesses certified under the Act.
- b) The list will contain the name, address, phone/fax numbers, e-mail address, type of certification (MBE, FBE or PBE) and business classification (e.g., accounting or furniture sales) of certified vendors.
- c) The list shall be available to the Chief Procurement Officers and State Purchasing Officers established under the Illinois Procurement Code, and to other interested State agencies for use in procurements under the Illinois Procurement Code and other procurement laws.
- d) The list shall be available to the public. This list may be in the

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form of a directory available for a fee to cover cost of compilation, publication and distribution.

SUBPART F: CERTIFICATION REQUIREMENTS AND PROCEDURES

Section 10.60 Application

The business seeking certification must complete a BEP application package. The Secretary may conduct a personal interview with the applicant that may include a telephone interview and/or an on-site visit. Additional on-site visits may be conducted at any time during the life of a certification to verify continued eligibility for the Program.

Section 10.61 Applicant Requirements

The applicant for initial certification, or recertification, must meet all of the requirements set forth in the Act and this Part. Should the applicant fail to meet any of the certification requirements, or refuse to supply information requested by the Secretary, the Secretary will deny certification or recertification.

Section 10.62 Time to Determine Eligibility

The Secretary shall attempt to make a decision whether to certify or deny certification within 60 days after receipt of all requested information.

Section 10.63 Certification by Other Certifying Entities

- a) The Council will accept a certification by another entity in Illinois, such as a local government or vendor association. The other entity must have certification requirements and procedures equaling or exceeding those in the Act and this Part.
- b) The Secretary shall investigate requirements and procedures of other certifying entities and shall report to the Council the names of those certifying entities whose certifications can be accepted.
 - 1) The other entities must agree to notify the Secretary should their requirements or procedures change in any material way. The Secretary shall periodically meet with the other certifying entities to help ensure Council requirements and procedures are being met.
 - 2) If the other entities' requirements or procedures no longer equal or exceed the requirements and procedures of the Act or this Part, the Council will no longer accept those certifications. However, the Council will continue to honor previously accepted certifications until the Secretary reviews each one and, if necessary, revokes those that do not meet the requirements of the Act and this Part.

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Section 10.64 \$14,000,000 Sales Limitation; Exception

a) Annual gross sales of the applicant business for its most recent fiscal year must be less than \$14 million.

- 1) In determining the annual gross sales, sales of any affiliated business shall also be counted.

2) An affiliated business is one related to the other by virtue of significant commonality of management, or commonality of ownership (at least 5% of one company owned by owner or management personnel of the other). Other factors that may be considered in determining affiliation include, but are not limited to, sharing of office space, workers or equipment.

b) A business with annual gross sales of \$14 million or more in its most recent fiscal year is eligible to participate in the program if the business can show that if it were to receive a particular contract or subcontract, there would be a significant impact on employment of minorities, females or persons with disabilities, or in the use of BEP certified subcontractors or suppliers.

1) For the impact to be significant in terms of employment, the business would have to hire new employees with a full time equivalence to 50% of their work force. In addition, at least 51% of those new hires must be minority, female or persons with disabilities.

2) For the impact to be significant in terms of use of subcontractors or suppliers, the business must direct 75% of the value of the contract to BEP certified vendors as subcontractors or suppliers.

If the business makes contractual commitments regarding hiring or use of subcontractors or suppliers, agrees to appropriate enforcement mechanisms, such as bonding or damage provisions, and meets the other requirements for certification, the Secretary, on behalf of the Council, will approve counting expenditures under that contract toward the agency's goal.

Section 10.65 Citizenship/Permanent Residency

a) The individuals claiming ownership and control of the applicant business must be citizens or lawful permanent residents of the United States.

b) Proof of citizenship or permanent residency must be confirmed by a birth certificate, naturalization papers, permanent resident status documents, passports or other documents.

Section 10.66 Ownership/Control by Members of Eligible Groups

a) The individuals claiming ownership and control of the applicant business must be members of the eligible groups identified in Section 10.40(a) of this Part.

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- b) The applicant must provide proof of eligible group status. Proof must be in the form of official documentation such as birth certificates, passports, naturalization papers, or Tribal I.D. Card, if available. If an individual does not have official documentation, or if it is not sufficient, the Secretary will consider other evidence the applicant submits. Other evidence might include whether the individual identifies with, holds him or herself out as part of, or others recognize him or her as belonging to, an eligible group.

Section 10.67 Ownership

- a) The individuals claiming ownership and control of the applicant business must own at least 51% of the business.

- b) The ownership shall be real, substantial and continuing and not simply a matter of form. "Real" is a bona fide investment in the business done at arm's length and in good faith. "Substantial" is the level of investment necessary to initiate or acquire the particular business in light of its value, the business field, the organization of the concern, and the potential sources of outside financing. The following factors, among others, help determine whether ownership is real, substantial, continuing and not a matter of form.

- 1) How ownership was obtained, including, but not limited to, purchase, gift or inheritance.
- 2) How substantial was the contribution toward ownership in terms of expertise, money, or other such factors? The following are some examples of factors that may indicate insufficient contribution:
 - A) minimal cash outlay or personal investment;
 - B) a promise or agreement to contribute capital;
 - C) a note payable to the firm or other owners who are not eligible group members;
 - D) contributions for services rather than capital, except where services are unique, specialized or of a value commensurate with the ownership value of such services;
 - E) payment of contribution with funds loaned by a non-eligible group, former employer or stockholder;
 - F) no recourse loans where the borrower assumes no liability for repayment upon default; and
 - G) no recourse stock purchases wherein the purchaser assumes no liability upon default of payment other than transaction of shares.
- 3) How the applicant holds ownership. In terms of stock holdings, the following are factors that may indicate ownership is not as stated:
 - A) minimal cash outlay or personal investment;
 - B) a promise or agreement to buy stock;
 - C) stock issued, but not purchased;
 - D) stock certificates purchased but not in the possession of the applicant; or

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- E) stock held in trust.
- 4) The applicant must provide documentary proof of ownership, including, but not limited to, the following:
 - A) canceled checks or bookkeeping entries;
 - B) signed purchase agreements;
 - C) stock certificates, transfer ledgers and stockholder agreements;
 - D) partnership agreements;
 - E) profit sharing agreements; and
 - F) buy-out-right agreements.

Section 10.68 Control

The individuals claiming ownership and control of the applicant business must actually control the applicant business. Those individuals must be in direct control of the day to day operations, and must have, and exercise, the power to make major decisions on management, policy, fiscal and operational matters. Ownership by eligible group members does not equate to control. At a minimum, the following factors will be considered in determining control.

- a) Do the articles of incorporation show the eligible group owners were involved at the time of incorporation and in what way? If the eligible group owners were not involved at the time of incorporation, when did they become involved?
- b) Corporate by-laws will be reviewed to determine:
 - 1) the duties of the directors and officers who occupy these positions;
 - 2) the voting rights of the shareholders; and
 - 3) any restrictive language that may affect the eligible group owner's stock voting rights.
- c) Are there any stock options/shareholders agreements that, if exercised, will dilute or eliminate eligible group owner control?
- d) Do the eligible group owners make decisions independently?
- e) Does a review of resumes show the eligible group owners have sufficient background, including education and training, for responsibilities assigned?
- f) Do the eligible group owners continue to work for a firm not eligible for the BEP, and if so, what is the relationship of the firm to the applicant business?
- g) Who in the firm negotiates contracts and loans, prepares estimates and makes other management and supervisory decisions?

Section 10.69 Notice of Certification or Denial

- a) Notification of Certification

When the Secretary has determined that the applicant meets all requirements of the Act and this Part, the Secretary will notify the applicant by letter that it has been certified.
- b) Notification of Denial of Certification

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When the Secretary determines that the applicant does not meet the requirements of the Act and this Part, the Secretary shall send a letter to the applicant setting forth the rationale for the determination, inviting the applicant to provide additional information in the areas of concern and advising the applicant of the review process. The Secretary shall remove the applicant from the list of certified vendors.

SUBPART G: RECONSIDERATION, DECERTIFICATION AND RECERTIFICATION

Section 10.70 Review and Reconsideration

- a) The applicant may request that the Secretary reconsider a certification denial. The Secretary shall inform the applicant of the reconsideration decision within three months after receipt of the request for reconsideration. If the decision is not favorable to the applicant, the Secretary shall inform the applicant of additional reviews that are available. If the Secretary fails to inform the applicant within the three month period, the reconsideration request will be considered denied.
- b) The applicant may request that the Council's Certification Committee, made up of at least three Council members appointed by the Council's chair, review the reconsideration decision of the Secretary. The applicant must submit this request in writing to the Secretary postmarked no later than 30 days after the applicant received the Secretary's decision. The request must state why the applicant believes the Secretary's decision is wrong, must address all points raised in the Secretary's decision and must include any supporting documentation.
- c) The Secretary will attempt to schedule a Committee meeting within 30 days after receipt of the request for review. The meeting shall be held in Springfield or Chicago unless the Committee agrees to meet at some other location. The Secretary will notify the applicant at least 10 days prior to the meeting of the location, date and time.
- d) The Secretary shall provide each Committee member with a copy of the request for review, other relevant information and a response to the points raised in the request for review. Each Committee member shall review the files prior to the meeting.
- e) The Committee Chair shall call the meeting to order, announce the matter at issue and explain the meeting procedures. The Chair shall briefly restate the reasons given for the Secretary's decision and open the floor to the applicant. The meeting shall proceed in an informal manner within these procedures. All information obtained shall be considered.
- f) The applicant may make an opening statement, but must respond to each of the reasons given in the Secretary's decision. The applicant may call and question any witnesses. The Committee may ask questions of the applicant, the Secretary or any other person present. The

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Secretary may comment at any time. When the applicant is finished the Secretary may call witnesses. Both applicant and Secretary may make closing statements. Although the applicant may have an attorney or other representatives assist at the meeting, applicant must be present if any representative is present and applicant must respond to questions of the Committee.

- g) The Committee shall consider the information obtained at the meeting either as a body or individually. The Committee's decision will be based upon majority vote.
- h) If the decision is favorable to the applicant, the Secretary will notify and place the applicant on the list of certified vendors. If the decision is adverse to the applicant, the Secretary will notify the applicant, providing the Committee's reasons and information on the further review that is available.
- i) The applicant may ask that the full Council review an adverse decision of the Certification Committee. The applicant must submit this request in writing to the Secretary. The request must be postmarked no later than 15 days after the applicant received the Committee's decision. This request must state why the applicant believes the Committee's decision is wrong, must address all points raised in the Committee's decision and must include any supporting documentation.
- j) The Secretary shall provide each Council member with a copy of the second request and a copy of the Secretary's file on the matter for review. In addition, the Secretary shall prepare and submit to the Council a draft response to the points raised in the second request for review. The Secretary shall consult with the Committee prior to submitting the draft.
- k) The Council shall consider the second request at the next regularly scheduled Council meeting provided that the second request was received by the Secretary at least 21 days prior to that Council meeting. If received after that time, the matter will be considered at the next following Council meeting. The applicant will be told of the location, date and time of the meeting.
- l) The Council shall consider only the written information provided or produced by the applicant, the Certification Committee and the Secretary. The Council may, on its own, request that the applicant address the Council or respond to specific questions. If the Council requests that the applicant be present, the applicant may have an attorney or other representative assist at the meeting, but the applicant must be available to respond to Council questions. The Council will allow the applicant to address the Council if the applicant makes that request as part of the second request.
- m) After reviewing all information obtained, the Council shall vote to uphold the Committee's decision, overturn the Committee's decision or have the matter sent back to the Committee for reconsideration with instructions from the Council.
- n) If the decision is favorable to the applicant, the Council shall inform the Secretary. The Secretary shall place the applicant on the

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the review and reconsideration process.

SUBPART H: SPECIAL ASSISTANCE FOR CERTIFIED BUSINESSES

Section 10.80 Special Assistance

- a) Purchasing agencies may waive or reduce bond requirements for certified vendors when allowed by law and when the reduced bond amount would adequately protect the State's interests.
- b) Purchasing agencies may enter into contracts with certified vendors that contain a provision allowing advance or progress payments or both, except that a construction contract may not contain an advance payment provision. The advance or progress payment provision may be added to a contract at any time by agreement of the parties. Agencies must consider the application of Section 9.05 of the State Finance Act [30 ILCS 105/9.05] before including such provisions in contracts.
- c) With the prior general approval of the Council, the Chief Procurement Officer (Director of the Department of Central Management Services) may, by express written authorization, allow purchasing agencies to establish set-asides and other such preferences for BEP certified vendors.

SUBPART I: CONTRACT REQUIREMENTS

Section 10.90 Change in Eligibility

- a) Any contract awarded with Section 10.80 provisions may not be assigned to another vendor without approval of the Secretary.
- b) Should a vendor who received a contract with Section 10.80 provisions cease to qualify as a BEP vendor during contract performance, the purchasing agency may cancel the contract immediately without penalty to the State.
- c) Any change in the eligibility status of a vendor awarded a contract with Section 10.80 provisions shall be reported to the Council by both the vendor and the purchasing agency.

Section 10.91 Contract Commitment; Good Faith Effort

- a) A vendor who obtains a contract requiring hiring of BEP certified vendors, such as pursuant to Section 10.64, or who makes a voluntary contractual commitment to hire BEP certified vendors, and who fails to do so, is subject to having the contract canceled. If the agency cancels the contract, the vendor may be liable for any damages the State suffers as a result of the cancellation. The State may excuse the vendor's failure if the vendor can show a good faith effort to remain in compliance.
- b) Any vendor claiming good faith relief must fully document, in writing, the steps taken to obtain BEP certified vendors as subcontractors. The

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- list of certified vendors. The Secretary shall inform the applicant.
- o) If the decision is adverse to the applicant, the Council shall inform the Secretary. The Secretary shall notify the applicant.
- r) If the decision is to send the matter back to the Committee, the process shall continue from that point until resolved at the Committee or Council level.

Section 10.71 Decertification Process

- a) The State, or a third-party, may challenge the certification status of a business at any time.
- b) Upon receipt of information that questions the validity of a certification, the Secretary shall conduct an investigation. This may include on-site or telephone interviews, review of existing records, or collection and examination of new records to supplement, explain or clarify records previously submitted.
- c) If the investigation results in a finding that the firm is no longer eligible for BEP status, the Secretary shall notify the firm that it is decertified. The applicant may appeal using the review and reconsideration procedure of Subpart G. After decertification, the applicant may not reapply for certification until one year has passed since the date of decertification. A certification of the applicant by another entity shall not be accepted during the one year period following decertification.

Section 10.72 Recertification Process

- a) Sixty days prior to expiration of the certification, the Secretary shall send a letter to the business advising that it must complete and return the application. The application must be postmarked at least 15 days prior to expiration of the current certification. Failure to meet that deadline shall result in expiration of the certification.
- b) If the applicant submits the material 15 days before the expiration of the current certification, the original certification shall remain in effect until the Secretary completes the recertification process.
- c) Upon receipt of the recertification application, the Secretary will review it for changes that affect eligibility under the Act or this Part.
- d) If no such changes have occurred, the Secretary will recertify the applicant. If changes give rise to questions regarding eligibility, the Secretary will notify the applicant and request clarification and/or additional information.
- e) When all questions of eligibility have been resolved in favor of the applicant, the Secretary will issue a new certification valid for a period of three years.
- f) If the Secretary determines that the firm is not eligible, the Secretary will notify the applicant by letter. The letter shall include the reasons for the decision and shall inform the applicant of

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State may require that the vendor provide additional information on request. A good faith effort shall, at a minimum, consist of the following:

- 1) contacting the Business Enterprise Division at least 15 days prior to need and requesting referrals from the certified vendor list and from any other list maintained by the Division;
 - 2) advertising in the Official State Newspaper or a local newspaper as time permits; and
 - 3) contacting appropriate organizations such as unions, contractor associations, and minority or female oriented organizations.
- c) If a good faith exception is given, the purchasing agency shall notify the Secretary of the exception and shall include all pertinent information.

SUBPART J: VIOLATIONS BY VENDOR

Section 10.100 Violations by Vendor

Should a vendor violate the Act, this Part, or the terms of contracts let pursuant to this Program, the State may pursue any or all of the following actions.

- a) A certified vendor may be decertified and an applicant for certification may be denied certification for reasons including, but not limited to:
 - 1) refusal to supply information sufficient for the Secretary or the Council to make a determination for eligibility or continued eligibility as indicated in Section 10.61 (Applicant Requirements);
 - 2) refusal to supply additional proof of eligibility for the Program, particularly after receiving a contract with Section 10.80 (Special Assistance) provisions;
 - 3) accepting a contract with Section 10.80 (Special Assistance) provisions when the vendor does not qualify for the Program; and
 - 4) any other violation of the Act or this Part.
- b) The State may cancel, without penalty to the State, any contract entered into by a vendor in knowing violation of:
 - 1) the Act or this Part;
 - 2) the requirements of a contract let with Section 10.80 (Special Assistance) provisions; or
 - 3) commitments regarding use of certified vendors, including, but not limited to, those in Section 10.64 (\$14,000,000 Sales Limitation; Exception) and Section 10.91 (Contract Commitment; Good Faith Effort).
- c) In the case of a cancellation under subsection (b)(2) or (b)(3), the amount of profit applicable to amounts paid to the vendor shall be withheld from any amounts owed to the vendor. If the amount owed the vendor is insufficient to off-set profits, the vendor shall be liable to pay back to the State any balance of those profits. The profit

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rate shall be deemed 20% unless a lesser or greater amount can be conclusively proved.

- d) The Secretary may suspend a vendor for a period of no more than one year for a knowing violation of:

- 1) the Act or this Part;
- 2) the requirements of a contract let with Section 10.80 (Special Assistance) provisions; or
- 3) commitments regarding use of certified vendors, including, but not limited to, those in Section 10.64 (\$14,000,000 Sales Limitation; Exception) and Section 10.91 (Contract Commitment; Good Faith Effort).

- e) Depending on the seriousness of the violation, the suspension shall be:

- 1) from participation in the BEP program; or
- 2) from further contracting with the State.

- f) A vendor may appeal any of the actions of the Council taken pursuant to this Section in the same manner as a vendor denied certification (see Subpart G of this Part).

- g) The Secretary shall notify the Chief Procurement Officers, State Purchasing Officers and other interested parties of the revocation of certification or of suspension.

- h) If any agency finds or suspects that a business is in violation of the Act or of this Part, such violation should be reported to the Secretary as soon as practicable after the finding.

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- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3) Section Numbers:

310.110	Amended	<u>Adopted Action:</u>
310.130	Amended	
310.290	Amended	
310.450	Amended	
310.495	Amended	
310.530	Amended	
310.540	Amended	
310.Appendix B	Amended	
310.Appendix C	Amended	
310.Appendix D	Amended	
310.Appendix G	Amended	

- 4) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

- 5) Effective Date of Amendments: November 16, 1998

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Do these amendments contain incorporations by reference? No

- 8) Copies of all Pay Plan amendments and Collective Bargaining contracts are available upon request from the Division of Technical Services.

- 9) Notice of Proposal Published in the Illinois Register: July 17, 1998; 22 Ill. Reg. 12422

- 10) Has JCAR issued a Statement of Objections to these rules? No

- 11) Differences between proposal and final version: Changes made in the initial notice page and text before 1st Notice publication in the *Illinois Register* have been incorporated into this adoption. No 2nd Notice changes were made.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

- 13) Will this amendment replace an emergency rule currently in effect? Yes

- 14) Are there any proposed amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
310.230	Amended	22 Ill. Reg. 16397

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- | | | |
|----------------|---------|--------------------|
| 310.270 | Amended | 22 Ill. Reg. 16397 |
| 310.280 | Amended | 22 Ill. Reg. 16397 |
| 310.Appendix G | Amended | 22 Ill. Reg. 16397 |

- 15) Summary and Purpose of Amendments:

The amendments to Sections 310.110, 310.130, 310.290, 310.450, 310.530, 310.540, and 310.Appendices B, C, D and G reflect the Fiscal Year 1999 changes that affect those employees subject to the Schedule of Salary Grades and Merit Compensation.

In Sections 310.110 (Implementation of Pay Plan Changes for Fiscal Year 1998) and 310.130 (Effective Date), the dates were changed to reflect the new Fiscal Year 1999.

The reference to receiving a one-time lump sum payment of \$565 (Sections 310.110 and 310.530) was deleted since this was rescinded after July 30, 1998.

Narrative in reference to employees subject to the alternative retirement formula was deleted in Sections 310.110, 310.450 and 310.530.

The previous suspension of Merit Increases to employees other than those subject to the alternative retirement formula as stated in Sections 310.450, 310.530 and 310.540 was rescinded.

In Section 310.290, Out-of-State or Foreign Service Rate, the salary ranges for the Foreign Service and Merit Compensation out-of-state titles were revised to reflect the 3% increase in the Schedule of Salary Grades, Merit Compensation ranges and negotiated rates.

In Section 310.495, Broad-Band Pay Range Classes, the subsections (e) and (f) were deleted since this is in reference to the initial placement of positions in the Public Service Administrator and Senior Public Service Administrator classes. Also, the two levels for the Senior Public Service Administrator were deleted.

In Section 310.540, Annual Merit Increase Guidechart for Fiscal Year 1999, the Merit Compensation guidechart was revised to reflect changes in definitions and allowable amounts of salary increases for the level of performance. Merit increases for all employees were reinstated.

In Section 310.Appendix B, the Schedule of Salary Grades was upgraded to include a general increase of 3%, which is identical to that already negotiated by the major collective bargaining units for July 1, 1998.

In Section 310.Appendix C, the Medical Administrator Rates were increased by 3% for Fiscal Year 1999.

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In Section 310. Appendices D and G, the minimum salaries for the Merit Compensation System Salary Schedule and Broad-Band Pay Range Classes Salary Schedule were increased by 3%, while the maximum salaries of the new schedules reflect an increase of 3% to the Fiscal Year 1998 salary maximums of the alternative retirement formula schedule. The Senior Public Service Administrator will no longer reflect levels.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Mr. Michael Murphy
Department of Central Management Services
Division of Technical Services
504 William G. Stratton Building
Springfield, Illinois 62706
(217) 782-5601

The full text of the Adopted Amendments begins on the next page:

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TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
POSITION CLASSIFICATIONS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

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Policy and Responsibilities
Jurisdiction
Pay Schedules
Definitions
Conversion of Base Salary to Pay Period Units
Conversion of Base Salary to Daily or Hourly Equivalents
Increases in Pay
Decreases in Pay
Other Pay Provisions
Implementation of Pay Plan Changes for Fiscal Year 1999 +1998
Interpretation and Application of Pay Plan
Effective Date
Reinstitution of Within Grade Salary Increases
Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, Effective
July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section
310.205
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310.270
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Introduction
Prevailing Rate
Negotiated Rate
Part-Time Daily or Hourly Special Services Rate
Hourly Rate
Member, Patient and Inmate Rate
Trainee Rate
Legislated and Contracted Rate
Designated Rate
Out-of-State or Foreign Service Rate
Educator Schedule for RC-063 and HR-010
Physician Specialist Rate
Annual Compensation Ranges for Executive Director and Assistant
Executive Director, State Board of Elections
Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

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Section	
310.410	Jurisdiction
310.420	Objectives
310.430	Responsibilities
310.440	Merit Compensation Salary Schedule
310.450	Procedures for Determining Annual Merit Increases
310.455	Intermittent Merit Increase
310.456	Merit Zone (Repealed)
310.460	Other Pay Increases
310.470	Adjustment
310.480	Decreases in Pay
310.490	Other Pay Provisions
310.495	Broad-Band Pay Range Classes
310.500	Definitions
310.510	Conversion of Base Salary to Pay Period Units
310.520	Conversion of Base Salary to Daily or Hourly Equivalents
310.530	Implementation
310.540	Annual Merit Increase Guidechart for Fiscal Year 1999 1999
310.550	Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)
APPENDIX A	Negotiated Rates of Pay
TABLE A	HR-190 (Department of Central Management Services - State of Illinois Building - SEIU)
TABLE AA	NR-916 (Department of Natural Resources, Teamsters)
TABLE B	HR-200 (Department of Labor - Chicago, Illinois - SEIU)
TABLE C	RC-069 (Firefighters, AFSCME) (Repealed)
TABLE D	HR-001 (Teamsters Local #726)
TABLE E	RC-020 (Teamsters Local #330)
TABLE F	RC-019 (Teamsters Local #25)
TABLE G	RC-045 (Automotive Mechanics, IFPE)
TABLE H	RC-006 (Corrections Employees, AFSCME)
TABLE I	RC-009 (Institutional Employees, AFSCME)
TABLE J	RC-014 (Clerical Employees, AFSCME)
TABLE K	RC-023 (Registered Nurses, INA)
TABLE L	RC-008 (Boilermakers)
TABLE M	RC-110 (Conservation Police Lodge)
TABLE N	RC-010 (Professional Legal Unit, AFSCME)
TABLE O	RC-028 (Paraprofessional Human Services Employees, AFSCME)
TABLE P	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)
TABLE Q	RC-033 (Meat Inspectors, IFPE)
TABLE R	RC-042 (Residual Maintenance Workers, AFSCME)
TABLE S	HR-012 (Fair Employment Practices Employees, SEIU)
TABLE T	HR-010 (Teachers of Deaf, IFT)
TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
TABLE V	CU-500 (Corrections, Meet and Confer Employees)
TABLE W	RC-062 (Technical Employees, AFSCME)

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TABLE X	RC-063 (Professional Employees, AFSCME)
TABLE Y	RC-063 (Educators, AFSCME)
TABLE Z	RC-063 (Physicians, AFSCME)
APPENDIX B	Schedule of Salary Grades - Monthly Rates of Pay for Fiscal Year 1999 1998
APPENDIX C	Medical Administrator Rates for Fiscal Year 1999 1998
APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year 1999 1998
APPENDIX E	Teaching Salary Schedule (Repealed)
APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
APPENDIX G	Broad-Band Pay Range Classes Salary Schedule for Fiscal Year 1999 1998

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; peremptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; peremptory

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amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; peremptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; peremptory amendment at 11 Ill. Reg. 4386, effective February 27, 1987; peremptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; peremptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; peremptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; peremptory amendment 11 Ill. Reg. 17919, effective October 19, 1987; peremptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; peremptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; peremptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; peremptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; peremptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; peremptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; peremptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; peremptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; peremptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; peremptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; peremptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; peremptory amendment at 14 Ill. Reg. 18854,

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effective November 13, 1990; peremptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; peremptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; peremptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; peremptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; peremptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; peremptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; peremptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160,

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effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; peremptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; peremptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; peremptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; peremptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; peremptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; peremptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; peremptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 21 Ill. Reg. 16344, effective December 9, 1997; peremptory amendment at 21 Ill. Reg. 16465, effective December 4, 1997; peremptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997; peremptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; peremptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; peremptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; peremptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; amended at 22 Ill. Reg. 6204, effective March 12, 1998; peremptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; peremptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; peremptory amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; peremptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; peremptory amendment at 22 Ill. Reg. 20406, effective November 5, 1998; amended at 22 Ill. Reg. **20581**, effective **NOV 16 1998**.

SUBPART A: NARRATIVE

Section 310.110 Implementation of Pay Plan Changes for Fiscal Year 1999 1998

a) The rates of pay for all employees occupying positions subject to the Schedule of Salary Grades shall be as set out in Appendix B, Schedule of Salary Grades -- Monthly Rates of Pay for Fiscal Year 1999 1998.

b) Employees whose retirement formula rates were changed and are subject to the Schedule of Salary Grades and Out-of-State or Foreign Service Rates shall receive a one-time lump-sum payment of \$5657, except those

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employees on emergency or temporary appointment, and those employees who work less than 75% of the regular work schedule who will have the 5655 prorated on the basis of the employee's work schedule as a percent of the regular work schedule of the organizational unit. All employees whose retirement formula rates were not changed and are subject to the above shall receive a 3% increase, effective July 1, 1997.

(Source: Amended at 22 Ill. Reg. **20581**, effective **NOV 16 1998**)

Section 310.130 Effective Date

The effective date of this Pay Plan Narrative (Subpart A), Schedule of Rates (Subpart B), and Schedule of Salary Grades (Appendix B), shall be July 1, 1998 1997.

(Source: Amended at 22 Ill. Reg. **20581**, effective **NOV 16 1998**)

SUBPART B: SCHEDULE OF RATES

Section 310.290 Out-of-State or Foreign Service Rate

The rate of pay for employees occupying positions which require payment in accordance with the economic conditions and social legislation of another state or foreign country. An adjustment may be made to the salary of an employee stationed in a foreign country to compensate for a change in the currency exchange rate. The Director of the Department of Central Management Services will, before approving an adjustment, consider the need of the employing agency, the treatment of other similar situations, prevailing practices of other employers, and the equity of the particular circumstances.

Title

Effective
Fiscal Year 1999 199

Foreign Service Economic Development Executive I

3354-5988 3256-5814

Foreign Service Economic Development Executive II

4295-7848 4170-7619

Foreign Service Economic Development Representative

2850-5134 2767-4984

Office Administrator IV
(States Other Than California and New Jersey)

2240-3876 2175-3651

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(CA, NJ)	2532-4381	2450-4120
Office Assistant (Foreign Service)	1771-2390	1719-2320
Office Associate (States Other Than California and New Jersey) (CA, NJ)	1894-2597	1899-2521
	2141-2935	2079-2850
Office Coordinator (States Other Than California and New Jersey) (CA, NJ)	1967-2709	1909-2630
	2223-3063	2150-2973
Public Service Administrator (States Other Than California and New Jersey) (CA, NJ)	3004-6565	2916-6189
	3396-7422	3297-6997
Revenue Auditor I (States Other Than California and New Jersey) (CA, NJ)	2680-3828	2601-3717
	3029-4328	2941-4202
Revenue Auditor II (States Other Than California and New Jersey) (CA, NJ)	3123-4524	3033-4392
	3531-5114	3428-4965
Revenue Auditor III (States Other Than California and New Jersey) (CA, NJ)	3485-5081	3605-4932
	3939-5743	3709-5576
Revenue Auditor Trainee (States Other Than California and New Jersey) (CA, NJ)	2233-3122	2160-3031
	2525-3530	2451-3427
Revenue Tax Specialist I (States Other Than California and New Jersey) (CA, NJ)	2233-3122	2160-3031
	2525-3530	2451-3427
Revenue Tax Specialist II (States Other Than California and New Jersey) (CA, NJ)	2443-3458	2371-3357
	2761-3909	2601-3795
Revenue Tax Specialist Trainee (States Other Than California and New Jersey) (CA, NJ)	2042-2836	1903-2753
	2309-3206	42341-311
Senior Public Service Administrator (States Other Than California and New Jersey) (CA, NJ)	4139-9726	4010-9160
	4679-10994	4542-103

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(Source: Amended at 22 Ill. Reg. 20581, effective NOV 16 1998)

SUBPART C: MERIT COMPENSATION SYSTEM

Section 310.450 Procedures for Determining Annual Merit Increases

- a) An annual merit increase is an in-range salary adjustment for demonstrated performance.
- b) Eligibility for an annual merit increase shall be determined by the following conditions:
 - 1) Each employee will be eligible for a merit review after attaining 12 months creditable service. The employee's immediate supervisor shall prepare an Individual Development and Performance Evaluation form prior to the Performance Review Date, and discuss the results with the employee.
 - 2) Should the Individual Development and Performance review result in the employee not being eligible for an annual merit increase due to provisions of subsection 310.450(d), or should the employee's base rate be at the maximum rate of pay of the salary range assigned to the employee's position, the employee will not be eligible for an annual merit increase until 12 months of additional creditable service has been accrued.
- c) Based upon the results of the Individual Development and Performance Evaluation, the employees' immediate supervisor shall determine whether the employee's performance warrants or does not warrant an annual merit increase.
- d) ~~Until further amendment, merit increases are suspended for Merit Compensation employees, except those who are subject to the alternative retirement formula. The amount of an annual merit increase recommendation shall be determined for those employees subject to the alternative retirement formula by use of the Alternative Retirement Formula Merit Increase Guidechart of Section 310.540 if the employee's Individual Development and Performance Evaluation has on the Performance Review Date been evaluated at a Category 3 or higher level. An employee whose Individual Development and Performance Evaluation has on the Performance Review Date been evaluated at Category 4 shall not receive an increase in the present base salary. However, in no event is the resulting salary to be lower than the minimum or higher than the maximum rate of pay of the respective salary range assigned to the employee's position.~~
 - e) The employee's immediate supervisor shall prepare a Performance Certification and Salary Increase Recommendation form, indicating whether or not the employee is eligible for an annual merit increase and the amount thereof.
 - f) The employee's immediate supervisor shall forward the Individual Development and Performance Evaluation records and Performance Certification and Salary Increase Recommendation records to the agency

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head or a designated authority for review and approval.

- g) Annual merit increases in pay shall become effective the first day of the month in which the employee's Performance Review Date occurs.

(Source: Amended at 22 Ill. Reg. **20581**, effective

NOV 16 1998)

Section 310.495 Broad-Band Pay Range Classes

Broad-band pay range classes shall be covered by all provisions of the Merit Compensation System except for the provisions identified in the following subsections:

- a) Salary Range -- The salary range for broad-band classes shall be as set out in Appendix G.
- b) Entrance Salaries -- The Director or Chairman of the Department, Board or Commission shall review the education, training and experience of an employee to be placed in the broad-band class and determine the employee's initial rate of pay.

1) The salary assigned an employee shall take into account the duties, education, training and experience of the employee to assure reasonable pay equity among employees in the same class.

2) A report of the resultant rate of pay shall be provided to the Director of the Department of Central Management Services on the form provided for that purpose.

3) An entrance salary should not provide more than a 10% increase over the candidate's prior salary without the prior approval of the Director of the Department of Central Management Services.

- c) Salary Adjustments -- Salary adjustments for positions in broad-band classes may be made by the employing agency where the employee has been given substantial additional responsibilities but will remain in the same classification. An increase of between 5% and 10% of current base salary may be given where the substantial additional responsibilities are documented on an updated job description and reflected on the organization chart.

d) Movement between Salary Systems -- Salary treatment on movement of an employee between one position in the broad-band class series and another position outside of the broad-band class series will be as recommended by the employing agency and approved by the Director of the Department of Central Management Services.

- e) Salary Treatment upon Initial Placement of Positions in the Senior Public-Service-Administrator Class -- Incumbents of any position which was in salary ranges MG-12 through MG-19 prior to reclassification into the Senior Public-Service-Administrator class will be placed into the range with no change in salary, unless an increase is required to take the employee to the minimum salary for the appropriate level. Upon implementation of the Senior Public-Service-Administrator class, employees will be assigned to pay level 17 except that any employee whose current salary is more than \$63,000 or who is at a salary level

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of MG-15 or above prior to implementation will be assigned to level 17.

- f) Salary Treatment upon Initial Placement of Positions in the Public-Service-Administrator Class -- Incumbents of any position which was in salary ranges MG-08 through MG-11 prior to reclassification into the Public-Service-Administrator class will be placed into the range with no change in salary.

g) Salary Treatment upon Initial Placement of Positions in Other Occupational Broad-Band Classes -- For the purpose of establishing salary treatment upon initial placement of positions, it is necessary to determine the "lowest corresponding Merit Compensation grade." The Merit Compensation range with a minimum salary closest to, but not lower than, that of the broad-band range minimum is known as the "lowest corresponding Merit Compensation grade."

1) The incumbent of a position with a current salary range maximum equal to or greater than the maximum of the "lowest corresponding Merit Compensation grade" will be placed in the broad-band range with no change in salary.

2) The incumbent of a position with a current salary range maximum less than the maximum of the "lowest corresponding Merit Compensation grade" will be placed in the broad-band range with a 5% increase in current base salary. However, in no event shall the resulting salary be lower than the minimum or higher than the maximum rate of the new salary range. The creditable service date of an employee will not be changed unless an increase of 10% or greater is provided to move the employee to the minimum of the new range.

(Source: Amended at 22 Ill. Reg. **20581**, effective **NOV 16 1998**)

Section 310.530 Implementation

- a) The salary schedule for the Merit Compensation System for Fiscal Year 1999 1998 will continue as set forth in Appendix D of the Pay Plan.
- b) The Merit Increase Guidechart for Fiscal Year 1999 1998 as set forth in Section 310.540 of the Pay Plan is modified to suspend merit increases until further amendment, except for those employees subject to the alternative retirement formula whose retirement formula rates were not changed. The Alternative Merit Increase Guidechart in Section 310.540 will apply for these alternative retirement formula employees. Employees subject to the Merit Compensation System shall receive a one-time lump-sum payment of \$565, except those employees subject to the alternative retirement formula, those employees on emergency or temporary appointment, and those employees who work less than 75% of the regular work schedule who will have the \$565 prorated on the basis of the employee's work schedule as a percent of the regular work schedule of the organizational unit.

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(Source: Amended at 22 Ill. Reg. 20581, effective NOV 16 1998)

Section 310.540 Annual Merit Increase Guidechart for Fiscal Year 1999 1998

Until further amendment, merit increases are suspended for all Merit Compensation employees other than those subject to the alternative retirement formula, effective July 1, 1997.

The Merit Increase Guidechart for alternative retirement formula employees only is as set forth below:

Category	Definition	Increase
Category 1	Exceptional	0% to 5%+\$125
Category 2	Accomplished	0% to 3%+\$125
Category 3	Acceptable	0% to 3%
Category 4	Unacceptable	\$0
Category 1	Exceptional	0% to 6%
Category 2	Accomplished/Satisfactory	0% to 4%
Category 3	Less-Than-Satisfactory	0%

(Source: Amended 8/1998 22 Ill. Reg. 20581, effective NOV 16 1998)

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Section 310. APPENDIX B Schedule of Salary Grades -- Monthly Rates of Pay for Fiscal Year 1999 1998

Salary Grade	Step 1c	Step 1b	Step 1a	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
1	1323	1363	1404	1446	1490	1531	1575	1625	1668	1746
2	1364	1405	1447	1490	1531	1575	1627	1674	1720	1799
3	1401	1443	1486	1531	1575	1628	1677	1724	1774	1865
4	1441	1484	1529	1575	1628	1681	1728	1787	1835	1930
5	1490	1535	1581	1628	1683	1739	1794	1847	1901	1995
6	1540	1586	1634	1683	1740	1796	1858	1916	1978	2078
7	1592	1640	1689	1740	1799	1863	1926	1989	2055	2165
8	1647	1696	1747	1799	1868	1935	2009	2073	2144	2258
9	1710	1761	1814	1868	1938	2014	2086	2164	2238	2356
10	1776	1829	1884	1941	2025	2098	2178	2255	2336	2466
11	1854	1910	1967	2026	2110	2188	2277	2362	2442	2579
12	1942	2000	2060	2122	2212	2295	2391	2477	2572	2715
13	2026	2087	2150	2215	2307	2406	2504	2598	2698	2851
14	2124	2188	2254	2322	2421	2522	2636	2736	2842	3007
15	2218	2285	2354	2425	2537	2647	2755	2868	2975	3152
16	2330	2400	2472	2546	2664	2785	2902	3022	3144	3329
17	2444	2517	2593	2671	2799	2928	3051	3175	3304	3501
18	2576	2653	2733	2815	2952	3089	3229	3362	3496	3704
19	2716	2797	2881	2967	3119	3265	3417	3561	3710	3934
20	2870	2956	3045	3136	3293	3448	3611	3767	3922	4162

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21	3030	3121	3215	3311	3481	3649	3819	3993	4159	4418
22	3203	3299	3398	3500	3682	3863	4044	4231	4409	4682
23	3398	3500	3605	3713	3910	4110	4304	4503	4699	4993
1	1284	1323	1363	1404	1447	1486	1529	1578	1619	1695
2	1324	1364	1405	1447	1486	1529	1580	1625	1670	1747
3	1360	1401	1443	1486	1529	1581	1628	1674	1722	1811
4	1399	1441	1484	1529	1581	1632	1678	1735	1782	1874
5	1447	1490	1535	1581	1634	1688	1742	1799	1846	1937
6	1495	1540	1586	1634	1689	1744	1804	1860	1920	2017
7	1546	1592	1640	1689	1747	1809	1870	1931	1995	2102
8	1599	1647	1696	1747	1814	1879	1950	2013	2082	2192
9	1660	1710	1761	1814	1882	1955	2025	2101	2173	2287
10	1724	1776	1829	1884	1966	2037	2115	2189	2260	2394
11	1800	1854	1910	1967	2049	2124	2211	2293	2371	2504
12	1885	1942	2000	2060	2140	2220	2321	2405	2497	2636
13	1967	2026	2087	2150	2240	2336	2431	2522	2619	2760
14	2062	2124	2188	2254	2350	2449	2559	2656	2759	2919
15	2153	2210	2285	2354	2463	2570	2675	2784	2888	3060
16	2262	2330	2400	2472	2586	2704	2817	2934	3052	3232
17	2373	2444	2517	2593	2717	2843	2962	3083	3200	3399
18	2501	2576	2653	2733	2866	2999	3135	3264	3394	3596
19	2637	2716	2797	2881	3020	3170	3317	3457	3602	3819
20	2786	2870	2956	3045	3197	3348	3506	3657	3808	4041
21	2942	3030	3121	3215	3360	3543	3700	3877	4030	4289

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22	3110	3203	3299	3398	3575	3750	3926	4108	4281	4546
23	3299	3398	3500	3605	3796	3990	4179	4372	4562	4840
Schedule of Salary Grades (Alternative Retirement Formula only) - Monthly Rates of pay for Fiscal Year 1999 1998										
Salary Grade	1c	1b	1a	1	2	3	4	5	6	7
1a	1363	1404	1446	1489	1535	1577	1622	1674	1718	1798
2a	1405	1447	1490	1535	1577	1622	1676	1724	1772	1853
3a	1443	1486	1531	1577	1622	1677	1727	1776	1827	1921
4a	1484	1529	1575	1622	1677	1731	1780	1841	1890	1988
5a	1535	1581	1628	1677	1733	1791	1848	1902	1958	2055
6a	1586	1634	1683	1733	1792	1850	1914	1973	2037	2140
7a	1640	1689	1740	1792	1853	1919	1984	2049	2117	2230
8a	1696	1747	1799	1853	1924	1993	2069	2135	2208	2326
9a	1761	1814	1868	1924	1996	2074	2149	2229	2305	2427
10a	1829	1884	1941	1999	2086	2161	2243	2323	2406	2540
11a	1910	1967	2026	2087	2173	2254	2345	2433	2515	2656
12a	2000	2060	2122	2186	2278	2364	2463	2551	2649	2796
13a	2087	2150	2215	2281	2376	2478	2579	2676	2779	2937
14a	2188	2254	2322	2392	2494	2598	2715	2818	2927	3097
15a	2285	2354	2425	2498	2613	2726	2838	2954	3064	3247
16a	2400	2472	2546	2622	2744	2869	2989	3113	3238	3429
17a	2517	2593	2671	2751	2883	3016	3143	3270	3403	3606
18a	2653	2733	2815	2899	3041	3182	3326	3463	3601	3815
19a	2797	2881	2967	3056	3213	3363	3520	3668	3821	4052

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20a	2956	3045	3136	3230	3392	3551	3719	3880	4040	4287
21a	3121	3215	3311	3410	3585	3758	3934	4113	4284	4551
22a	3299	3398	3500	3605	3792	3979	4165	4358	4541	4822
23a	3500	3605	3713	3824	4027	4233	4433	4638	4840	5143
1a	1323	1363	1404	1446	1490	1531	1575	1625	1668	1746
2a	1364	1405	1447	1490	1531	1575	1627	1674	1720	1799
3a	1401	1443	1486	1521	1575	1620	1677	1724	1774	1865
4a	1441	1484	1529	1575	1620	1681	1720	1787	1835	1930
5a	1490	1535	1581	1620	1683	1739	1794	1847	1901	1995
6a	1540	1586	1634	1683	1740	1796	1850	1916	1970	2070
7a	1592	1640	1689	1740	1799	1863	1926	1989	2055	2165
8a	1647	1696	1747	1799	1860	1935	2009	2073	2144	2250
9a	1710	1761	1814	1868	1930	2014	2086	2164	2230	2356
10a	1776	1829	1884	1941	2025	2090	2170	2255	2336	2466
11a	1854	1910	1967	2026	2110	2180	2277	2362	2442	2579
12a	1942	2000	2060	2122	2212	2295	2391	2477	2572	2715
13a	2026	2087	2150	2215	2307	2406	2504	2590	2690	2851
14a	2124	2180	2254	2322	2421	2522	2636	2736	2842	3007
15a	2210	2285	2354	2425	2537	2647	2755	2860	2975	3152
16a	2330	2400	2472	2546	2664	2785	2902	3022	3144	3329
17a	2444	2517	2593	2671	2799	2920	3051	3175	3304	3501
18a	2576	2653	2733	2815	2952	3089	3229	3362	3496	3704
19a	2716	2797	2881	2967	3119	3265	3417	3561	3710	3934
20a	2870	2956	3045	3136	3293	3440	3611	3767	3922	4162

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21a	3030	3121	3215	3311	3401	3649	3819	3993	4159	4410
22a	3203	3299	3390	3500	3602	3863	4044	4231	4409	4602
23a	3390	3500	3605	3713	3910	4110	4304	4503	4699	4993

(Source: Notified 1998 at 22 Ill. Reg. 20581, effective

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Section 310.APPENDIX C Medical Administrator Rates for Fiscal Year 1999 1998

<u>Title</u>	<u>Minimum Salary</u>	<u>Midpoint Salary</u>	<u>Maximum Salary</u>
Medical Administrator I, Option C	7,050	8,577	10,104
Medical Administrator I, Option D	7,873	9,443	11,013
Medical Administrator II, Option C	7,618	9,173	10,728
Medical Administrator II, Option D	8,749	10,372	11,995
Medical Administrator III	9,059	10,838	12,617
Medical Administrator IV	9,206	10,985	12,764
Medical Administrator V	9,354	11,135	12,916
Medical-Administrator-I7 Option-E	6,845	8,327	9,809
Medical-Administrator-I7 Option-B	7,644	9,169	10,692
Medical-Administrator-III7 Option-E	7,996	9,906	11,816
Medical-Administrator-III7 Option-B	8,494	10,070	11,646
Medical-Administrator-III	8,795	10,522	12,249
Medical-Administrator-IV	8,938	10,665	12,392
Medical-Administrator-V	9,082	10,811	12,540

The rates of pay for physicians occupying or appointed to a position in the Medical Administrator classes shall be as listed in the above schedule. All provisions of Subpart C of the Pay Plan, Merit Compensation System will apply to the Medical Administrator positions.

(Source: Amended 1998 22 Ill. Reg. 20581, effective 11/1/98)

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Section 310.APPENDIX D Merit Compensation System Salary Schedule for Fiscal Year 1999 1998

<u>Salary Range</u>	<u>Minimum Salary</u>	<u>Midpoint Salary</u>	<u>Maximum Salary</u>
MC 01	1,867	2,530	3,193
MC 02	1,948	2,659	3,370
MC 03	2,041	2,813	3,585
MC 04	2,134	2,945	3,756
MC 05	2,240	3,116	3,992
MC 06	2,354	3,275	4,196
MC 07	2,478	3,472	4,466
MC 08	2,612	3,683	4,754
MC 09	2,760	3,888	5,016
MC 10	2,916	4,141	5,366
MC 11	3,080	4,396	5,712
MC 12	3,270	4,691	6,112
MC 13	3,492	5,014	6,536
MC 14	3,735	5,383	7,031
MC 15	4,009	5,771	7,533
MC 16	4,291	6,201	8,111
MC 17	4,631	6,692	8,753
MC 18	4,991	7,283	9,275
MC 19	5,391	7,887	9,183
ME-01	17,019	27,411	37,009
ME-02	17,091	27,533	37,175
ME-03	17,982	27,680	37,370
ME-04	27,072	27,806	37,540
ME-05	27,175	27,968	37,761
ME-06	27,285	27,119	37,953
ME-07	27,406	27,308	47,210
ME-08	27,536	27,509	47,482
ME-09	27,680	27,704	47,728
ME-10	27,831	27,944	57,057
ME-11	27,990	27,107	57,384
ME-12	27,175	27,467	57,759
ME-13	27,390	27,775	67,160
ME-14	27,626	27,126	67,626
ME-15	27,892	27,496	77,100
ME-16	27,166	27,905	77,644
ME-17	27,496	27,373	87,250
ME-18	27,846	27,653	87,460
ME-19	27,234	27,945	87,656

Merit-Compensation--System--Salary--Schedule--(Alternative--Retirement--Formula only)---Monthly-Rates-of-Pay-for-Fiscal-Year-1998

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Salary Range	Minimum Salary	Midpoint Salary	Maximum Salary
ME-01a	17013	27456	37099
ME-02a	17091	27581	37271
ME-03a	17982	27731	37480
ME-04a	27072	27859	37646
ME-05a	27175	37025	37875
ME-06a	27205	37179	47073
ME-07a	27406	37371	47336
ME-08a	27536	37576	47616
ME-09a	27680	37775	47870
ME-10a	27831	47020	57209
ME-11a	27990	47260	57546
ME-12a	37175	47554	57933
ME-13a	37390	47860	67346
ME-14a	37626	57226	67826
ME-15a	37892	57603	77314
ME-16a	47166	67020	77074
ME-17a	47496	67497	87498
ME-18a	47846	67780	87714
ME-19a	57234	77075	87916

(Source: Amended NOV 15 1998 at 22 Ill. Reg. 20581, effective _____)

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Section 310-APPENDIX G Broad-Band Pay Range Classes Salary Schedule for Fiscal Year 1998

Title	Minimum Salary	Maximum Salary
Human Resources Representative	1,948	3,755
Human Resources Specialist	2,240	4,466
Public Service Administrator	2,612	5,709
Senior Public Service Administrator	3,599	8,457
Human Resources Representative	17091	37540
Human Resources Specialist	27175	47210
Public-Service-Administrator	27536	57302
Senior-Public-Service-Administrator	37494	67097
Level-I		
Senior-Public-Service-Administrator	47292	77972
Level-II		

Broad-Band-Pay-Range-Classes-Salary-Schedule--(Alternative--Retirement--Formula only)---Monthly-Rates-of-Pay-for-Fiscal-Year-1998

Title	Minimum Salary	Maximum Salary
Human-Resources-Representative	17091	37646
Human-Resources-Specialist	27175	47336
Public-Service-Administrator	27536	57543
Senior-Public-Service-Administrator	37494	67200
Level-I		
Senior-Public-Service-Administrator	47292	87211
Level-II		

(Source: Amended at 22 Ill. Reg. 20581, effective NOV 15 1998)

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NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Livestock Waste Regulations

2) Code Citation: 35 Ill. Adm. Code 506

3) Section Numbers: Adopted Action:

506.103 Amended
506.209 Amended
506.601 Amended
506.602 Amended
506.603 Amended
506.604 Added
506.605 Added
506.606 Added
506.607 Added
506.608 Added
506.610 Added
506.611 Added
506.612 Added
506.613 Added
506.614 Added
506.615 Added
506.620 Added
APPENDIX A Added

4) Statutory Authority: 510 ILCS 77/55 and 415 ILCS 5/27.

5) Effective Date of Amendments: November 12, 1998

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporation by reference? No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: 22 Ill. Reg. 10102 (June 12, 1998)

10) Has JCARR issued a Statement of Objections to these Rules? No

11) Differences between proposal and final version: In the first paragraph of Section 506.103, changed "their associated meanings as follows" to "the following meanings".

In the definition of "aquifer material," changed "which" to "that" in two places.

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In Section 506.209(a)(1), after "received" added "by the Department".

In Section 506.209(a)(2)(E), added a comma after "Part".

In Section 506.209(a)(2)(F), deleted "which will be".

In Section 506.209(a)(4), deleted "to allow for post-closure inspection".

In Section 506.209(b)(4), added "or" at the end of the line.

Deleted the original Section 506.209(b)(5).

Renumbered Section 506.209(b)(6) to 506.209(b)(5).

In new Section 506.209(b)(5), after "subsection (a)" added "(1)".

In Section 506.601(b)(1), changed "within 180 days after the date on which this provision becomes effective" to "on or before June 1, 1999".

In Section 506.601(c), changed "Definitions" to "For the purposes of this Subpart, the following terms have the following meanings".

In Section 506.602(b), changed "Subpart" to "Part" and added "surety" before "instrument".

In Section 506.602(d), changed "financial" to "surety".

In Section 506.603(a), added parentheses around "V x Cf" and added "+ EC", deleted "and" at the end of the definition of "V", changed the period at the end of the definition of "Cf" to "; and", and added "EC = Engineering contingency determined under subsection (c) of this Section."

In Section 506.603(b)(1), changed "From the effective date of this provision through" to "Until".

Added new subsection (c) to Section 506.603.

In Section 506.605(b)(2), added "of this Section" before the period.

In Section 506.605(c), changed "Where" to "If".

In Section 506.606(a)(2), changed "one year" to "eight months".

In the first sentence of Section 506.606(b), deleted "When one of the criteria under subsection (a) is met," and capitalized the "T" in "the", deleted "of liability", added new paragraphs (1) and (2), and added a colon before the new numbered paragraphs.

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The former second sentence of Section 506.606(b) now begins a new subsection (c). In the first sentence of new Section 506.606(c), added "of liability" after "notice".

In new Section 506.606(c)(1), changed "level of surety" to "amount for which the financial institution is liable under the surety instrument".

In new Section 506.606(c)(1)(B), changed "one year" to "eight months".

In new Section 506.606(c)(2), changed "level of surety" to "surety instrument" and changed "closure completion" to "completion of closure".

In new Section 506.606(c)(3), added "or partial closure of the lagoon" after "pending closure" and changed "(b)" to "(c)".

In new Section 506.606(c)(4), added ", or is required under subsection(c)(1) of this Section," after "elects", added "The Department may use any interest earned on deposited funds to close the lagoon." before "The Department", and changed "and any interest that may be" to "including any remaining interest".

Redesignated original Section 506.606(c) as new Section 506.606(d).

In Section 506.607(b), changed "prior to" to "before making".

In Section 506.607(c), added "If a lagoon owner makes" to the beginning of the paragraph and changed the "A" in "Any" to lower case; also in line 563, added ", the lagoon owner" after "instruments".

In Section 506.607(d), changed "financial" to "surety".

In Section 506.608(d), changed "the use of" to "allow the Department to use" and changed "use of funds" to "an agreement".

In Section 506.610(b), changed "shall" to "must" and deleted "pursuant to the Illinois Insurance Code [215 ILCS 5]".

Deleted original Section 506.610(d).

Redesignated former Section 506.610(e) as new Section 506.610(d).

In new Section 506.610(d), added "(c)" after "Section 506.606".

Redesignated former Section 506.610(f) as new Section 506.610(e).

In Section 506.611(c), changed "shall" to "will".

In Section 506.611(d), changed "(b)" to "(c)".

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In Section 506.612(b), changed "shall" to "must".

In Section 506.612(c), deleted "Conditions:", " (1)" and all of paragraph (2).

Deleted original Section 506.613(d).

Redesignated former Section 506.613(e) as new Section 506.613(d).

In Section 506.614(c)(2), changed "one year" to "eight months".

In Section 506.614(f)(2), deleted "or".

In Section 506.614(f)(3), changed the period to "; or".

Added new paragraph (4) to Section 506.614(f).

In Section 506.615(a), began a new paragraph and added "b) " after "Department".

Also in new Section 506.615(b), added "of participation submitted pursuant to subsection (a) of this Section" after "certificate", added a colon before the new numbered paragraphs, added new paragraphs (1) to (3) after "include", and began new paragraph (4) with "a financial statement".

Redesignated former Section 506.615(b) as new Section 506.615(c).

Redesignated former Section 506.615(c) as new Section 506.615(d).

In new Section 506.615(d), deleted "The lagoon closure fund must also guarantee that," and capitalized "U" in "upon", changed "will be responsible for paying out funds, up to the level of surety for a given participant's lagoon, in accordance with" to "must comply with the requirements of", and added "(c)" after "Section 506.606".

Added new subsection 506.615(e).

Redesignated former Section 506.615(d) as new Section 506.615(f).

In new Section 506.615(f), deleted the first sentence of the paragraph and changed "expiration of the specified period" to "the date set forth in the certification pursuant to subsection (b)(3) of this Section".

In Section 506.Appendix A, Illustration A, added the following sentence to the end of the eighth paragraph: "If the Surety assumes responsibility to provide closure, expenditures made by the Surety for that purpose may exceed the amount of the penal sum, but the amount of the Surety's obligation under this bond is not affected."

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In Section 506. Appendix A, Illustration B, changed "19281" to "9281" in the address of the Illinois Department of Agriculture, added "or the Federal Savings and Loan Insurance Corporation" after "Corporation" in the first paragraph, added a colon at the end of the second paragraph, added "or 506.606(c)" after "506.606(a)" in subparagraph (2) under the second paragraph, and added closing quotation marks at the end of that sentence.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these amendments replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rules: The adopted rules provide procedures by which the owner of a new or modified livestock waste lagoon registered under the Livestock Management Facilities Act provides evidence of financial responsibility satisfying the requirements of Section 17 of that Act. For a detailed discussion of the adopted rules, please refer to the Illinois Pollution Control Board's final opinion and order in R97- 15(B), adopted on November 5, 1998, copies of which may be obtained as described below.
- 16) Information and questions regarding this adopted rule shall be directed to:

Charles A. King, Attorney
Illinois Pollution Control Board
100 W. Randolph Street
Suite 11-500
Chicago, IL 60601
312/814-6926

Requests for copies of the Illinois Pollution Control Board's November 5, 1998, opinion and order in R97-15(B) should be directed to Victoria Agyeaman at (312) 814-3620 or at the above address and should refer to docket R97-15(B).

The full text of the adopted amendments begins on the following page:

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE E: AGRICULTURE RELATED POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
PART 506
LIVESTOCK WASTE REGULATIONS

SUBPART A: GENERAL PROVISIONS

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506.101 Applicability
506.102 Severability
506.103 Definitions
506.104 Incorporations by Reference
506.105 Recordkeeping
506.106 Alternatives, Modifications and Waivers

SUBPART B: STANDARDS FOR LIVESTOCK WASTE LAGOONS

Section
506.201 Applicability
506.202 Site Investigation
506.203 Registration
506.204 Lagoon Design Standards
506.205 Liner Standards
506.206 Groundwater Monitoring
506.207 Certification of Construction
506.208 Failure to Register or Construct in Accordance with Standards
506.209 Lagoon Closure and Ownership Transfer

SUBPART C: WASTE MANAGEMENT PLAN

Section
506.301 Purpose
506.302 Scope and Applicability
506.303 Waste Management Plan Contents
506.304 Livestock Waste Volumes
506.305 Nutrient Content of Livestock Waste
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506.307 Targeted Crop Yield Goal
506.309 Nitrogen Credits
506.310 Records of Waste Disposal
506.311 Approval of Waste Management Plans
506.312 Sludge Removal
506.313 Plan Updates
506.314 Penalties

SUBPART D: CERTIFIED LIVESTOCK MANAGER

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Section
506.401

Applicability

SUBPART E: PENALTIES

Section
506.501

General

SUBPART F: FINANCIAL RESPONSIBILITY

Section
506.601

Scope, Applicability, and Definitions

Mechanisms for Providing Evidence of Financial ResponsibilityLevel of SuretyUpgrading Surety InstrumentRelease of Lagoon Owner and Financial InstitutionFinancial Responsibility ProceedsUse of Multiple Surety InstrumentsUse of a Single Surety Instrument for Multiple LagoonsCommercial or Private InsuranceGuaranteeSurety BondLetter of CreditCertificate of Deposit or Designated Savings AccountParticipation in a Livestock Waste Lagoon Closure FundPenalties

SUBPART G: SETBACKS

Section
506.701

Applicability

Procedures

Initial Determination of Setbacks

Penalties

APPENDIX A Surety InstrumentsILLUSTRATION A Surety BondILLUSTRATION B Irrevocable Standby Letter of Credit

AUTHORITY: Authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/27] and Section 55 of the Livestock Management Facilities Act and implementing the Livestock Management Facilities Act [510 ILCS 77].

SOURCE: Adopted in R97-15(A) at 21 Ill. Reg. 6851, effective May 20, 1997; amended in R97-15(B) at 22 Ill. Reg. **20605**, effective **NOV 12 1998**.

NOTE: In this Part, superscript numbers or letters are denoted by parentheses;

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subscript are denoted by brackets; and SUM means the summation series or sigma function as used in mathematics.

Section 506.103 Definitions

Except as stated in this Section, or unless a different meaning of a word or term is clear from the context, the definition of words or terms in this Part shall be the same as that applied to the same words or terms in the Environmental Protection Act [415 ILCS 5] or the Livestock Management Facilities Act [510 ILCS 77]. For the purposes of this Part, the terms included herein shall have the following meanings their-associated-meanings--as follows:

"Agency" means the Illinois Environmental Protection Agency. [510 ILCS 77/10.5]

"Animal feeding operation" means a feeding operation as defined in the Illinois Environmental Protection Act and the rules promulgated under that Act concerning agriculture related pollution. [510 ILCS 77/10.7]

"Animal unit" means a unit of measurement for any animal feeding operation calculated as follows:

Brood cows and slaughter and feeder cattle multiplied by 1.0.

Milking dairy cows multiplied by 1.4.

Young dairy stock multiplied by 0.6.

Swine weighing over 55 pounds multiplied by 0.4.

Swine weighing under 55 pounds multiplied by 0.03.

Sheep, lambs, or goats multiplied by 0.1.

Horses multiplied by 2.0.

Turkeys multiplied by 0.02.

Laying hens or broilers multiplied by 0.01 (if the facility has continuous overflow watering).

Laying hens or broilers multiplied by 0.03 (if the facility has a liquid manure handling system).

Ducks multiplied by 0.02. [510 ILCS 77/10.10]

"Aquifer material" means sandstone that which is five feet or more in

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thickness, or fractured carbonate that which is ten feet or more in thickness; or, sand, gravel, or sand and gravel, as defined herein, such that there is at least two feet or more present within any five foot section of a soil boring performed in accordance with Section 506.202 of this Part.

"Certified livestock manager" means a person that has been duly certified by the Department as an operator of a livestock waste handling facility. [510 ILCS 77/10.15]

"Department" means the Illinois Department of Agriculture. [510 ILCS 77/10.20]

"Farm residence" means any residence on a farm owned or occupied by the farm owners, operators, tenants, or seasonal or year-round hired workers. For purposes of this definition, a "farm" is the land, buildings, and machinery used in the commercial production of farm products, and "farm products" are those plants and animals and their products which are produced or raised for commercial purposes and include but are not limited to forages and sod crops, grains and feed crops, dairy and dairy products, poultry and poultry products, livestock, fruits, vegetables, flowers, seeds, grasses, trees, fish, honey and other similar products, or any other plant, animal, or plant or animal product which supplies people with food, feed, fiber, or fur. [510 ILCS 77/10.23]

"Gravel" or "Sand and gravel" means unconsolidated materials that contain a matrix (particles of two millimeters or less) that is consistent with the definition of "sand" and particles larger than two millimeters in size.

"Lagoon" or "Earthen livestock waste lagoon" means any excavated, diked, or walled structure or combination of structures designed for biological stabilization and storage of livestock wastes. A lagoon does not include structures such as manufactured slurry storage structures or pits under buildings as defined in rules under the Environmental Protection Act concerning agriculture related pollution. [510 ILCS 77/10.25]

"Licensed Professional Engineer" means a person, corporation or partnership licensed under the laws of the State of Illinois to practice professional engineering. [415 ILCS 5/57.2]

"Licensed Professional Geologist" means an individual who is licensed under the laws of the State of Illinois to engage in the practice of professional geology in Illinois. [225 ILCS 745/15]

"Livestock management facility" means any animal feeding operation,

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Livestock shelter, or on-farm milking and accompanying milk-handling area. Two or more livestock management facilities under common ownership, where the facilities are not separated by a minimum distance of 1/4 mile, and that share a common livestock waste handling facility shall be considered a single livestock management facility. Livestock management facilities at educational institutions, livestock pasture operations, facilities where animals are housed on a temporary basis such as county and state fairs, livestock shows, race tracks, and horse breeding and foaling farms, and market holding facilities are not subject to the Livestock Management Facilities Act or the requirements of this Part. [510 ILCS 77/10.30]

"Livestock waste" means livestock excreta and associated losses, bedding, wash waters, sprinkling waters from livestock cooling, precipitation polluted by falling on or flowing onto an animal feeding operation, and other materials polluted by livestock. [510 ILCS 77/10.35]

"Livestock waste handling facility" means individually or collectively those immovable constructions or devices, except sewers, used for collecting, pumping, treating, or disposing of livestock waste or for the recovery of by-products from the livestock waste. Two or more livestock waste handling facilities under common ownership and where the facilities are not separated by a minimum distance of 1/4 mile shall be considered a single livestock waste handling facility. [510 ILCS 77/10.40]

"Maintained" means, with reference to a livestock waste lagoon, that the livestock waste lagoon is inspected (including but not limited to inspection for burrow holes, trees and woody vegetation, proper freeboard, erosion, settling of berm, berm top integrity, leaks, and seepage) and preventive action is taken as necessary to assure the integrity of the lagoon and its berm and associated appurtenances.

"Modified" means structural changes to a lagoon that increase its volumetric capacity. [510 ILCS 77/10.43]

"New facility" means a livestock management facility or a livestock waste handling facility the construction or expansion of which is commenced on or after May 21, 1996 (the effective date of the Livestock Management Facilities Act). Expanding a facility where the fixed capital cost of the new components constructed within a 2-year period does not exceed 50% of the fixed capital cost of a comparable entirely new facility shall not be deemed a new facility as used in the Livestock Management Facilities Act. [510 ILCS 77/10.45]

"Non-farm residence" means any residence which is not a farm residence. [510 ILCS 77/10.47]

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"Occupied residence" means a house or other type of shelter that is intended or used for human occupancy and has been occupied by humans for more than a total of six months in the last two years at that location. For the purposes of this definition, "intended or used for human occupancy" means running water and sanitation are provided within the residence.

"Owner or operator" means any person who owns, leases, controls, or supervises a livestock management facility or livestock waste-handling facility. [510 ILCS 77/10.50]

"Person" means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, political subdivision, State agency, or any other legal entity or their legal representative, agent, or assigns. [510 ILCS 77/10.55]

"Placed in service" means the placement of livestock waste in a livestock waste lagoon upon the completion of construction or modification in accordance with the requirements of this Part.

"Populated area" means any area where at least 10 inhabited non-farm residences are located or where at least 50 persons frequent a common place of assembly or a non-farm business at least once per week. [510 ILCS 77/10.60] The existence of a populated area shall be determined by identifying the area around the livestock management or livestock waste handling facility delineated by a distance equal to the applicable setback distance and identifying the number of residences or the existence of a non-farm business or the existence of a common place of assembly within that area. For the purpose of setback requirements, common places of assembly or non-farm businesses include but are not limited to churches, hospitals, schools, day care centers, manufacturing companies, land managed for recreational or conservation purposes, museums, camps, parks, retail and wholesale facilities, and shopping centers. A common place of assembly or a non-farm business includes places that operate less than 52 weeks per year, such as schools with seasonal vacation periods and businesses or other places which experience seasonal shutdowns, and parks, camps, and recreational areas which experience seasonal shutdowns or reduced attendance during a portion of the calendar year, provided that such places are frequented by at least 50 persons at least once per week during the portions of the year when seasonal shutdowns or reductions in attendance do not occur.

"Residence" means a house or other structure, including all attachments to the house or structure, which is used as a place of human habitation.

"Sand" means unconsolidated materials, where 70% or more of the

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particles are of size 0.06 millimeters to 2.00 millimeters, and which according to the USDA soil texture classification scheme includes soil textures of sand, and loamy sand, and portions of sandy loam and sandy clay loam.

"Serviced" means, with reference to a livestock waste lagoon, that corrective action is taken as necessary to assure the integrity of the lagoon and its berm and associated appurtenances, including but not limited to removal or repair of burrow holes, trees and woody vegetation, freeboard level, erosion, settling of berm, berm top maintenance, leaks, and seepage.

(Source: ~~Amended~~ ²² Ill. Reg. 20605, effective NOV 12 1998)

Section 506.209 Lagoon Closure and Ownership Transfer

a) When any earthen livestock waste lagoon is removed from service, it shall be completely emptied. Appropriate closure procedures shall be followed as determined by the requirements of this Part. [510 ILCS 77/15(e)]

1) In the event that any earthen livestock waste lagoon is to be removed from service, the requirements contained in Section 15(e) of the Livestock Management Facilities Act [510 ILCS 77/15(e)] shall be met. The owner or operator shall notify the Department in writing when a lagoon is removed from service. Within 60 days after removal of the lagoon from service, and the owner or operator shall submit a lagoon closure plan to the Department for review and approval. If no lagoon closure plan is received by the Department within 60 days, the Department shall send the lagoon owner a notice of default.

2) The lagoon closure plan shall provide for the following:

- A) The sampling, analysis and reporting of results of all remaining livestock waste, sludge and minimum six-inch thickness of soil from throughout the lagoon interior consistent with the requirements of Section 506.312 of this Part;
- B) The removal of all remaining livestock waste including sludge, the removal of a minimum 6 inch thickness of soil from throughout the lagoon interior, and the application of these materials to crop land at agronomic rates consistent with the provisions of the site livestock waste management plan or their otherwise proper disposal;
- C) The removal of all associated appurtenances, including but not limited to transfer lines, ramps, pumping ports and other waste conveyance structures;
- D) The proper management of any impounded precipitation in the remaining excavation if it is not immediately filled and the

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- area immediately returned to its pre-construction condition;
- E) The proper abandonment of any monitoring wells installed pursuant to Section 506.206 of this Part, which shall be conducted pursuant to the Illinois Water Well Construction Code at 77 Ill. Adm. Code 920.120; and
- F) A proposed time frame for the completion of the closure activities ~~which will be~~ no greater than two years from the cessation of operation date unless the lagoon is maintained or serviced.

- 3)2) The Department shall review and approve, reject, or request additional information relative to the lagoon closure plan. The Department may also grant a waiver to any of the before-stated closure requirements that will permit the lagoon to be used for an alternative purpose. [510 ILCS 77/15(e)]
- 4)3) Upon completion of the lagoon closure activities as prescribed by the Department-approved closure plan, the owner or operator shall notify the Department to allow for post-closure inspection. The Department shall conduct a site inspection and issue a written notification of closure completion or inform the owner or operator of any unresolved closure issues.

- b) A lagoon is considered removed from service when:

- 1) The Department has ordered the lagoon removed from service under Section 506.620 of this Part;
- 2) A tribunal of competent jurisdiction has ordered the lagoon closed or ordered the owner or operator to cease operations;
- 3) The lagoon no longer receives livestock waste and the lagoon is not being serviced or maintained;
- 4) The owner fails to extend the term for which evidence of financial responsibility is shown as required in Section 506.602(b) of this Part; or
- 5) The owner or operator informs the Department in accordance with subsection (a)(1) of this Section that the lagoon has been removed from service.

- c) b) Upon a change in the ownership of a registered earthen livestock waste lagoon, the new owner shall notify, in writing, the Department of the change within 30 working days of the closing of the transaction. [510 ILCS 77/15(e)]

(Source: Amended at 22 Ill. Reg. 20605, effective NOV 12 1998)

SUBPART F: FINANCIAL RESPONSIBILITY

Section 506.601 Scope, Applicability, and Definitions

- a) This Subpart provides procedures by which the owner of a new or modified livestock waste lagoon registered under the Livestock Management Facilities Act provides evidence of financial

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responsibility satisfying the requirements of Section 17 of the Livestock Management Facilities Act.

- b) Owners of lagoons must comply with the financial responsibility requirements of this Part either:

- 1) on or before June 1, 1999; or
- 2) before the lagoon is placed in service.
- c) For the purposes of this Subpart, the following terms have the following meanings:

- 1) "Financial institution" means:

- A) An insurer providing commercial or private insurance to evidence financial responsibility for lagoon closure in accordance with Section 506.610 of this Part;

- B) A guarantor providing a guarantee as evidence of financial responsibility for lagoon closure in accordance with Section 506.611 of this Part;

- C) The issuer of a surety bond as evidence of financial responsibility for lagoon closure in accordance with Section 506.612 of this Part;

- D) The issuer of a letter of credit as evidence of financial responsibility for lagoon closure in accordance with Section 506.613 of this Part; or

- E) The livestock waste lagoon closure fund managed by the Illinois Farm Development Authority that evidences financial responsibility for lagoon closure in accordance with Section 506.615 of this Part.

- 2) "Level of surety" means the level, calculated in accordance with Section 506.603 of this Part, at which evidence of financial responsibility must be provided.

- 3) "Surety instrument" means any of the devices listed in Section 506.602 of this Part by which a lagoon owner evidences financial responsibility for lagoon closure. Unless the context requires otherwise, "surety instrument" includes a combination of surety instruments.

Owners--of--new--or--modified--lagoons--registered--under--the--provisions--of--the Livestock-Management-Facilities-Act-[510-15CS-77] shall-establish-and--maintain evidence--of-financial-responsibility-to-provide-for-the-closure-of-the-lagoons and-the-proper-disposal-of-their-contents-within-the-time-provisions--outlined in Section-17-of-the-livestock-Management-Facilities-Act---[510-15CS-77/17]

(Source: Amended at 22 Ill. Reg. 20605, effective NOV 12 1998)

Section 506.602 Mechanisms for Providing Evidence of Financial Responsibility

- a) Financial responsibility may be evidenced by any combination of the following:

- 1) Commercial or private insurance;
- 2) Guarantee;

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- 3) Surety bond;
 4) Letter of credit; or
 5) Certificate of deposit or designated savings account; or-
 6) Participation in a livestock waste lagoon closure fund managed by the Illinois Farm Development Authority. (510 ILCS 77/17)
- b) The lagoon owner must provide continuous coverage from the time the lagoon is placed in service until such time as the owner is released from the financial responsibility requirements pursuant to Section 506.605(a) of this Part. The initial term of any surety instrument (other than a certificate of deposit or designated savings account) utilized to fulfill the requirements of this Part must be at least three years. At least two years prior to the expiration date of such instrument, the owner must provide the Department with proof that the term of coverage has been extended for at least one additional year.
- c) Upon a change in the ownership of a livestock management facility or livestock waste handling facility involving a lagoon that is subject to the financial responsibility requirements of this Subpart, the new owner must establish and maintain evidence of financial responsibility at the same level of surety as the previous owner.
- d) The lagoon owner must ensure that the terms and conditions of the surety instrument(s) listed in subsection (a) of this Section upon which the owner relies are legally valid, binding, and enforceable under State and federal law.

(Source: Amended at 22 Ill. Reg. 20605, effective NOV 12 1998)

Section 506.603 Level of Surety

- a) The level of surety is determined by the following formula:

$$\text{Level of Surety} = (V \times CF) + EC$$

where:

V = Volume of the lagoon as constructed or modified in cubic feet, including the freeboard volume;

CF = Cost factor determined pursuant to subsection (b) of this Section; and

EC = Engineering contingency determined under subsection (c) of this Section.

- b) The cost factor is obtained from the following:

- 1) Until December 31, 2002, the cost factor is 10¢ per cubic foot of lagoon volume.
 2) After January 1, 2003 through December 31, 2007, the cost factor

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- 3) After January 1, 2008, the cost factor is 15¢ per cubic foot of lagoon volume.
- c) The engineering contingency is equal to 10% of (V x CF). ~~The level of surety required shall be determined by rate-and-be-based-upon-the volumetric-capacity-of-the-lagoon- (510-IBES-77/17)~~
- (Source: Amended 12 1998 22 Ill. Reg. 20605, effective NOV 12 1998)

Section 506.604 Upgrading Surety Instrument

- a) The owner of a lagoon must increase the total amount of surety in place so as to equal the level of surety as calculated within 90 days after:
- 1) a modification resulting in an increase in the volume of the lagoon; or
 2) an increase in the cost factor under Section 506.603(b) of this Part.
- b) If modification of a lagoon results in a decrease in volumetric capacity, the owner or operator may provide the Department with documentation of the reduction in volumetric capacity and request a recalculation of the level of surety. Within 90 days after a request by the owner or operator under this subsection, the Department must either:
- 1) release any surety amount above the level of surety as recalculated based upon the owner's documentation of reduction of volumetric capacity; or
 2) conduct an inspection and determine the amount by which volumetric capacity has been decreased.
- c) If the Department conducts an inspection under subsection (b), then the Department must release any surety amount above the level of surety as recalculated based upon the results of the inspection.

(Source: Added at 22 Ill. Reg. 20605, effective NOV 12 1998)

Section 506.605 Release of Lagoon Owner and Financial Institution

- a) The Department must release a lagoon owner from the requirements of this Subpart when:
- 1) The lagoon has been properly closed and a notification of closure completion pursuant to Section 506.209 of this Part has been issued to the lagoon owner by the Department; or
 2) A waiver has been granted by the Department to the lagoon owner allowing the lagoon to be used for an alternative purpose; or
 3) Title of the property containing the lagoon has been transferred to a new owner and the new owner has posted financial assurance

POLLUTION CONTROL BOARD

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as required under Section 506.602(c) of this Part.

b) The Department must release a financial institution when:

- 1) A lagoon owner offers an authorized alternative surety that meets the requirements of Section 506.607(c) of this Part; or
- 2) The Department releases the lagoon owner from the requirements of this Subpart under subsection (a) of this Section.

c) The Department must notify the lagoon owner and financial institution in writing within 60 days after a release under this Section. If a release is based upon proper closure of a lagoon, notification under this subsection should occur at the same time as notice of proper closure under Section 506.209(a)(4).

(Source: Added at 22 Ill. Reg. effective

20605,

NOV 18 1998)

Section 506.606, Financial Responsibility Proceeds

a) A financial institution issuing a surety instrument evidencing financial responsibility for closure of a livestock waste lagoon becomes liable on the surety instrument when a lagoon is removed from service and:

- 1) The owner fails to submit the lagoon closure plan required by Section 506.209 of this Part and:

A) cannot be found; or

B) fails to cure such failure within 30 days after notice from the Department;

2) The owner fails to obtain Department approval of a lagoon closure plan within eight months after the date that the lagoon is removed from service, unless the lagoon is maintained or serviced; or

3) The owner fails to comply with an approved lagoon closure plan and:

A) cannot be found; or

B) fails to cure such noncompliance within 30 days after notice from the Department.

b) The Department must provide notice to the financial institution providing surety for the lagoon:

- 1) when it determines that the lagoon has been removed from service; and

2) when it determines that one of the criteria for liability set forth in subsection (a) of this Section has been met.

c) Within 30 days after notice of liability from the Department, the financial institution must either assume liability for closure of the lagoon and notify the Department of its election to assume liability, or deposit the amount for which it is liable in connection with the lagoon into an account from which the Department is authorized to disburse funds for the purpose of closing the lagoon.

1) If the financial institution assumes liability for closure of the

POLLUTION CONTROL BOARD

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lagoon, it must submit a lagoon closure plan that meets the requirements of Section 506.209 of this Part within 60 days after notifying the Department of its election. Notwithstanding the financial institution's assumption of liability for closure of the lagoon, the Department may require the financial institution to deposit funds up to the amount for which the financial institution is liable under the surety instrument into an account from which the Department is authorized to disburse funds for the purpose of closing the lagoon if:

A) The financial institution does not submit the lagoon closure plan as required and fails to cure such omission within 30 days after notice from the Department;

B) The financial institution fails to obtain Department approval of a lagoon closure plan within eight months after the date that it elects to assume liability for closure of the lagoon, unless the lagoon is maintained or serviced; or

C) The financial institution fails to comply with an approved lagoon closure plan and fails to cure such noncompliance within 30 days after notice from the Department.

2) A financial institution that assumes liability for closure of a lagoon under this Section remains liable for the full amount of the surety instrument until the Department issues written notification of completion of closure in accordance with Section 506.209, notwithstanding the expiration of the instrument utilized to evidence financial responsibility by the owner.

3) Any amounts that a financial institution may expend for service or maintenance of the lagoon pending closure or partial closure of the lagoon do not reduce the amount of the financial institution's obligation under this subsection (c).

4) If the financial institution elects, or is required under subsection (c)(1) of this Section, to deposit the funds required by the Department into an account from which the Department is authorized to disburse funds for the purpose of closing the lagoon, then the Department shall close the lagoon within the time frame established under Section 15(e) of the IMFA or as soon as practicable, to the extent possible utilizing the funds deposited by the financial institution. The Department may use any interest earned on deposited funds to close the lagoon. The Department must release any funds remaining in the account, including any remaining interest earned on funds in the account, to the financial institution upon completion of closure.

d) The Department may sue in any court of competent jurisdiction to enforce its rights under any surety instrument.

(Source: Added at 22 Ill. Reg. effective
NOV 12 1998)

20605,

Section 506.607 Use of Multiple Surety Instruments

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- a) The lagoon owner may use any combination of the surety instruments listed in Section 17 of the Livestock Management Facilities Act [510 ILCS 77/17] and this Subpart to evidence the required level of financial responsibility.
- b) A lagoon owner is not limited to maintaining financial responsibility with the original surety instrument or combination of instruments. The owner must notify the Department before making any change in surety instruments.
- c) If a lagoon owner makes any change in surety instruments, the lagoon owner must maintain the total financial responsibility for the lagoon at a level not less (without counting the amounts to be released) than the level of surety.
- d) A replacement surety instrument or instruments must provide evidence of financial responsibility for a period at least equal to the existing instrument or instruments. This provision does not relieve an owner of the obligation under Section 506.602(b) to provide proof at least two years prior to expiration of a surety instrument that the term for which financial responsibility has been demonstrated has been extended for at least an additional year.

(Source: Added at 22 Ill. Reg. 20605, effective NOV 12 1998)

Section 506.608 Use of a Single Surety Instrument for Multiple Lagoons

- a) An owner may use a surety instrument specified in this Subpart to provide evidence of financial responsibility for more than one lagoon.
- b) Whenever a single surety instrument is used for multiple lagoons, the owner must submit an itemization to the Department identifying all lagoons covered by the surety instrument and the amount allocated to each lagoon.
- c) The amount of funds available through the surety instrument must be no less than the sum of funds that would be available if a separate surety instrument had been established and maintained for each lagoon.
- d) In directing funds available through a single surety instrument for the closure of any single lagoon covered by that surety instrument, the Department shall direct only the amount of funds designated for that lagoon, unless the owner agrees to allow the Department to use additional funds available under that surety instrument. Such an agreement does not affect the owner's obligation to provide evidence of financial responsibility up to the level of surety for all other lagoons.

(Source: Added at 22 Ill. Reg. 20605, effective NOV 12 1998)

Section 506.610 Commercial or Private Insurance

POLLUTION CONTROL BOARD

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- a) A lagoon owner may provide evidence of financial responsibility for closure of a livestock waste lagoon by obtaining closure insurance that conforms to the requirements of this Subpart and submitting an executed duplicate original of such insurance policy to the Department.
- b) The insurer must be licensed to transact the business of insurance by the Illinois Department of Insurance pursuant to the Illinois Insurance Code [215 ILCS 5].
- c) The policy must be on forms approved by the Illinois Department of Insurance.
- d) The closure insurance policy must guarantee that funds will be available to close the lagoon. The policy must also guarantee that, upon a notice of liability from the Department, the insurer will be responsible for paying out funds, up to an amount equal to the face amount of the policy, in accordance with Section 506.606(c) of this Part.
- e) The policy must provide that the insurer may not cancel or terminate the policy.

(Source: Added at 22 Ill. Reg. 20605, effective NOV 12 1998)

Section 506.611 Guarantee

- a) A lagoon owner may provide evidence of financial responsibility for closure of a livestock waste lagoon by obtaining a guarantee that conforms to the requirements of this Subpart.
- b) A guarantor must submit a financial statement to the Department from the guarantor's most recent fiscal year.
- c) The Department will review the financial statement, determine if adequate resources exist to guarantee the closure costs, and notify the lagoon owner of acceptance or denial within 30 days after receipt of the financial statement by the Department.
- d) The guarantor shall guarantee to pay the amount specified in the guarantee upon notice from the Department as provided in Section 506.606(c) of this Part.

(Source: Added at 22 Ill. Reg. 20605, effective NOV 12 1998)

Section 506.612 Surety Bond

- a) A lagoon owner may provide evidence of financial responsibility for closure of a livestock waste lagoon by obtaining a surety bond that conforms to the requirements of this Subpart and submitting the bond to the Department.
- b) The surety company issuing the bond must be licensed by the Illinois Department of Insurance pursuant to the Illinois Insurance Code [215

POLLUTION CONTROL BOARD

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ILCS 5] and approved by the U.S. Department of the Treasury as an acceptable surety. Acceptable sureties are listed in Circular 570 from the U.S. Department of the Treasury.

c) The bond must guarantee that the lagoon owner will provide lagoon closure and content removal in accordance with Section 506.209 of this Part.

d) The surety bond must be in substantially the form specified in Appendix A, Illustration A of this Part.

(Source: Added at 22 Ill. Reg. **20605**, effective Nov 12 1998)

Section 506.613 Letter of Credit

a) A lagoon owner may provide evidence of financial responsibility for closure of a livestock waste lagoon by obtaining an irrevocable standby letter of credit that conforms to the requirements of this Subpart and submitting the letter to the Department.

b) The issuing institution must be an entity that has the authority to issue letters of credit and:

- 1) whose letter of credit operations are regulated by the Illinois Commissioner of Banks and Real Estate; or
- 2) whose deposits are insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

c) The letter of credit made out to the Department must be accompanied by a letter from the lagoon owner referring to the letter of credit by number, issuing institution, and date and providing the following information: name and address of the lagoon site and the amount of funds assured for closure of the lagoon by the letter of credit.

d) The letter of credit must be substantially in the form specified in Appendix A, Illustration B of this Part.

(Source: Added Nov 12 1998 22 Ill. Reg. **20605**, effective _____)

Section 506.614 Certificate of Deposit or Designated Savings Account

a) A lagoon owner may provide evidence of financial responsibility for closure of a livestock waste lagoon by designating certificate(s) of deposit or savings account(s) for use as financial responsibility.

b) The issuing or depository financial institution must be an entity whose deposits are insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

c) The Department may draw on the certificate(s) of deposit or savings account(s) to pay the costs of closing a lagoon in accordance with this subsection. The Department shall close a lagoon when the lagoon is removed from service and:

POLLUTION CONTROL BOARD

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1) The owner fails to submit the lagoon closure plan required by Section 506.209 of this Part and:

- A) cannot be found; or
- B) fails to cure such failure within 30 days after notice from the Department.

2) The owner fails to obtain Department approval of a lagoon closure plan within eight months after the date that the lagoon is removed from service, unless the lagoon is maintained or serviced; or

3) The owner fails to comply with an approved lagoon closure plan and:

- A) cannot be found; or
- B) fails to cure such noncompliance within 30 days after notice from the Department.

d) The Director of the Department shall be listed as trustee of the certificate(s) of deposit or savings account(s) for the lagoon owner.

e) At maturity of any certificate of deposit designated as financial responsibility for lagoon closure, the certificate shall be renewed or the proceeds deposited into a designated savings account that meets the requirements of this Section.

f) The Department shall relinquish trusteeship of the certificate(s) of deposit or savings account(s) when:

- 1) The lagoon has been properly closed and a notification of closure completeness pursuant to Section 506.209 of this Part has been issued to the lagoon owner by the Department;

2) A waiver has been granted by the Department to the lagoon owner allowing the lagoon to be used for an alternative purpose pursuant to Section 506.209 of this Part;

3) Title of the property containing the lagoon has been transferred to a new owner and the new owner has posted financial assurance as required under Section 506.602(c) of this Part; or

4) A lagoon owner offers an authorized alternative surety which meets the requirements of Section 506.607(c) of this Part.

(Source: Added Nov 12 1998 22 Ill. Reg. **20605**, effective _____)

Section 506.615 Participation in a Livestock Waste Lagoon Closure Fund

a) A lagoon owner may provide evidence of financial responsibility for closure of a livestock waste lagoon by participating in a livestock waste lagoon closure fund managed by the Illinois Farm Development Authority. An owner electing to provide evidence of financial responsibility under this Section must submit a certificate of participation in such a lagoon closure fund to the Department.

b) The certificate of participation submitted pursuant to subsection (a) of this Section must include:

- 1) the level of surety for the lagoon;

POLLUTION CONTROL BOARD

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- 2) the dollar amount of coverage provided by the lagoon closure fund;
- 3) the dates for which coverage is provided; and
- 4) a financial statement of the lagoon closure fund establishing the lagoon closure fund's compliance with the requirements of this Section.
- c) The lagoon closure fund must maintain minimum reserves equal to the greater of:
- 1) the level of surety of the largest lagoon covered by the lagoon closure fund; or
 - 2) twice the average level of surety of lagoons covered by the fund.
- d) The lagoon closure fund must guarantee that funds will be available to close the lagoon. Upon a notice of liability from the Department, the lagoon closure fund must comply with the requirements of Section 506.606(c) of this Part.
- e) If the reserves of the lagoon closure fund are reduced to less than the minimum amount required under subsection (b) due to expenditures of funds in order to comply with Section 506.606(c), then within 120 days after such reduction the lagoon closure fund must demonstrate to the Department that the minimum reserve level has been restored.
- f) The lagoon closure fund may not cancel or terminate coverage prior to the date set forth in the certification pursuant to subsection (b)(3) of this Section.

(Source: Added at 22 Ill. Reg. 20605, effective NOV 12 1998)

Section 506.620 Penalties

The Department may order a lagoon removed from service if the owner fails to provide evidence of financial responsibility to the Department or fails to maintain financial responsibility in the amount required pursuant to Section 506.603 of this Subpart.

(Source: Added at 22 Ill. Reg. 20605, effective NOV 12 1998)

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Section 506.APPENDIX A Surety Instruments

Section 506.ILLUSTRATION A Surety Bond

SURETY BOND

Date bond executed: _____

Effective date: _____

Principal: _____

Type of organization: _____

State of incorporation: _____

Surety: _____

Sites: _____

Name: _____

Address: _____

City: _____

Amount guaranteed by this bond: \$ _____

Name: _____

Address: _____

City: _____

Amount guaranteed by this bond: \$ _____

Please attach a separate page if more space is needed for all sites.

Total penal sum of bond: \$ _____

Surety's bond number: \$ _____

The Principal and the Surety promise to pay the Illinois Department of Agriculture ("Department") the above penal sum unless the Principal provides closure for each site in accordance with 510 ILCS 77/15(e) and 35 Ill. Adm. Code 506.209. To the payment of this obligation the Principal and Surety jointly and severally bind themselves, their heirs, executors, administrators, successors and assigns.

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NOTICE OF ADOPTED AMENDMENTS

Whereas the Principal is required, under Section 15(b) of the Livestock Management Facilities Act ("LMFA") to register at least one livestock waste lagoon with the Department; and

Whereas the Principal is required, under Section 17 of the LMFA to evidence financial responsibility for closure of each registered lagoon; and

Whereas the Surety is licensed by the Illinois Department of Insurance; and

Whereas the Principal and Surety agree that this bond shall be governed by the laws of the State of Illinois;

The Surety shall pay the penal sum to the Department if, during the term of the bond, the Department issues a notice of liability to the Surety.

The Surety shall pay the penal sum of the bond to the Department within 30 days after the Department mails the notice of liability to the Surety unless the Surety assumes responsibility to provide closure and so notifies the Department. Payment shall be made by deposit of funds into a designated account upon which the Department is authorized to draw.

The liability of the Surety shall not be discharged by any payment or succession of payments unless and until such payment or payments shall amount in the aggregate to the penal sum of the bond. In no event shall the obligation of the Surety exceed the amount of the penal sum. If the Surety assumes responsibility to provide closure, expenditures made by the Surety for that purpose may exceed the amount of the penal sum, but the amount of the Surety's obligation under this bond is not affected.

This bond shall expire on the ____ day of _____, ____.

The Principal may terminate this bond by sending written notice to the surety; provided, however, that no such notice shall become effective until the Surety receives written authorization for termination of the bond from the Department.

In Witness Whereof, the Principal and Surety have executed this Surety Bond and have affixed their seals on the date set forth above.

The persons whose signatures appear below certify that they are authorized to execute this surety bond on behalf of the Principal and Surety.

PRINCIPAL

Signature Name _____

Typed Name _____

Address _____

POLLUTION CONTROL BOARD

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Title _____

State of Incorporation _____

Date _____

Corporate seal _____

CORPORATE SURETY

Signature _____

Typed Name _____

Title _____

Corporate seal _____

Bond premium: \$ _____

(Source: Added at 22 Ill. Reg. 20605, effective
4017.1.2.1998)

POLLUTION CONTROL BOARD
NOTICE OF ADOPTED AMENDMENTS

This credit is subject to

(Source: Added at 22 Ill. Reg. 20605, effective
NOV 12 1998)

POLLUTION CONTROL BOARD
NOTICE OF ADOPTED AMENDMENTS

Section 506. ILLUSTRATION B Irrevocable Standby Letter of Credit

IRREVOCABLE STANDBY LETTER OF CREDIT

Director
Illinois Department of Agriculture
P.O. Box 19281
Springfield IL 62794-9281

Dear Sir or Madam:

We have authority to issue letters of credit. Our letter-of-credit operations are regulated by the Illinois Commissioner of Banks and Real Estate or our deposits are insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation. (Omit language that does not apply.)

We hereby establish our Irrevocable Standby Letter of Credit No. _____ in your favor, at the request and for the account of _____ up to the aggregate amount of _____ U.S. dollars (\$ _____), available upon presentation of:

1. your sight draft, bearing reference to this letter of credit No. _____; and

2. your signed statement reading as follows: "I certify that the amount of the draft is payable pursuant to regulations issued under authority of the Livestock Management Facilities Act [510 ILCS 77] and 35 Ill. Adm. Code 506.606(a) or 506.606(c)."

This letter of credit is effective as of _____ and shall expire on _____.

Whenever this letter of credit is drawn on under and in compliance with the terms of this credit, we shall duly honor such draft upon presentation to us, and we shall deposit the amount of draft directly into a designated account in accordance with your instructions.

This letter of credit is governed by the Uniform Commercial Code [810 ILCS 5].

Signature _____
Typed Name _____
Title _____
Date _____
Name and address of issuing institution _____

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Grade A Pasteurized Milk and Milk Products
- 2) Code Citation: 77 Ill. Adm. Code 775
- 3) Section Numbers: Adopted Action:
775.20 Amendment
- 4) Statutory Authority: Implementing and authorized by the Grade A Pasteurized Milk and Milk Products Act [410 ILCS 635].
- 5) Effective Date of Rules: November 10, 1998
- 6) Does this Rulemaking Contain an Automatic Repeal Date? No
- 7) Does this Rulemaking Contain any Incorporation by Reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Date Notice of Proposed Rulemaking was Published in the Illinois Register: March 27, 1998; 22 Ill. Reg. 5797
- 10) Has the Joint Committee on Administrative Rules Issued a Statement of Objection to this Rulemaking? No
- 11) Difference Between Proposal and Final Version:
In Section 775.20 the following incorporated documents were added at second notice:

Evaluation of Milk Laboratories (1995 Revision), U.S. Department of Health and Human Services, Public Health Service/Food and Drug Administration

Methods of Making Sanitation Ratings of Milk Supplies (1995 Revision), U.S. Department of Health and Human Services, Public Health Service/Food and Drug Administration

Procedures Governing the Cooperative State-Public Health Service/Food and Drug Administration Program for Certification of Interstate Milk Shippers (1995 Revision), U.S. Department of Health and Human Services, Public Health Service/Food and Drug Administration
- 12) Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee? No changes to this rulemaking were requested by the Joint Committee.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

- 13) Will the Rulemaking Replace an Emergency Rule Currently in Effect? No
- 14) Are there any other Amendments Pending on this Part? No
- 15) Summary and Purpose of Rulemaking:

This rulemaking will update references to several documents that are incorporated by reference in the Grade A Pasteurized Milk and Milk Products rules. Documents that are being updated include the *Grade A Pasteurized Milk Ordinance* (PMO), the *Grade A Condensed and Dry Milk Ordinance* (DMO), *Evaluation of Milk Laboratories* (1995 Revision), *Methods of Making Sanitation Ratings of Milk Supplies* (1995 Revision), and *Procedures Governing the Cooperative State-Public Health Service/Food and Drug Administration Program for Certification of Interstate Milk Shippers* (1995 Revision), all published by the FDA, and the *Standard Methods for the Examination of Dairy Products*, published by the American Public Health Association.

Key changes to the 1995 edition of the PMO include two new appendices, which provide additional information and recommendations regarding vitamin fortification of Grade A dairy products and performance-based farm inspections as follows:

Appendix O - "Vitamin Fortification of Fluid Dairy Products" provides background information on fortification of dairy products with vitamins A and D, which has long been a standard practice in the dairy industry. The Appendix specifies recommendations for methods of vitamin addition, the use and evaluation of metering pumps, and the methods of testing for levels of vitamin fortification.

Appendix P - "Performance-Based Dairy Farm Inspection System" provides an alternative inspection system to the traditional routine inspection frequency of Grade A dairy farms. In the alternative system, the inspection frequency is based on producer milk quality and inspection performance.

In addition, the 1995 revision reorders inspection items for Grade A dairy farms to put more emphasis on direct public health issues. Although the sanitation requirements have not changed, the numbering system has been adjusted to reflect the new emphasis. The three additional documents are referenced in the PMO and are now referenced directly in the Department's rules.
- 16) Information and Questions Regarding these Adopted Amendments shall be directed to:

Gail M. DeVito
Administrative Rules Coordinator
Division of Legal Services

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

535 West Jefferson, Fifth Floor
Springfield, Illinois 62761
(217) 782-2043
(rules@dph.state.il.us).

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER m: FOOD, DRUGS AND COSMETICS

PART 775

GRADE A PASTEURIZED MILK AND MILK PRODUCTS

Section

775.1	Minimum Regulations (Renumbered)
775.10	Definitions
775.20	Incorporated Materials
775.30	Minimum Requirements
775.40	Local Government Implementation
775.50	Permits
775.60	Suspension of Permits
775.70	Inspections and Investigations
775.80	Approval of Construction Plans
775.90	Administrative Hearings
775.100	Milk Haulers Examination
775.110	Milk Tank Trucks
775.120	Cleaning and Sanitizing Procedures
775.130	Action levels for Added Water in Milk
775.140	Pesticide, Herbicide and Mycotoxin Residue Control Program
775.150	Drug Residue Control Program

AUTHORITY: Implementing and authorized by the Grade A Pasteurized Milk and Milk Products Act [410 ILCS 635].

SOURCE: Adopted and codified at 8 Ill. Reg. 4190, effective March 16, 1984; amended at 11 Ill. Reg. 1464, effective February 1, 1987; amended at 12 Ill. Reg. 17925, effective December 1, 1988; amended at 17 Ill. Reg. 14015, effective August 15, 1993; amended at 19 Ill. Reg. 12271, effective August 10, 1995; amended at 22 Ill. Reg. ~~20633~~, effective ~~NOV 10 1998~~.

Section 775.20 Incorporated Materials

a) The following materials are incorporated or referenced in this Part:

- 1) The Grade A Pasteurized Milk Ordinance (PMO), Part II and Appendices A through ~~N~~ ~~as amended in 1991~~ (except Sections ~~16 and 17~~) (1995) (1989 Recommendations of the United States Public Health Service/Food and Drug Administration (Publication 229)). In addition, the jurisdiction name, left blank in Sections 1, 2 and 11 of the PMO, for the purposes of this Part, shall mean the State of Illinois; and the regulatory agency referred to in Section 17 shall mean the Illinois Department of Public Health. See Section 775.30(a).
- 2) The Grade A Condensed and Dry Milk Ordinance, 1995 Revision, Part II and Appendices A through N ~~(The Grade A Condensed and Dry Milk~~

DEPARTMENT OF PUBLIC HEALTH

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Products and Condensed and Dry Whey - Supplement I to the Grade A Pasteurized Milk Ordinance, 1995 Recommendations). ~~Part--II--and Appendices--A--through--G--(1978--Recommended--Sanitation--Ordinance--for Condensed--and--Dry--Milk--Products--and--Condensed--and--Dry--Milk--Whey Used--in--Grade--A--Pasteurized--Milk--Products)~~ See Section 775.30(b).

3) Evaluation of Milk Laboratories (1995 Revision), U.S. Department of Health and Human Services, Public Health Service/Food and Drug Administration.

4) Methods of Making Sanitation Ratings of Milk Supplies (1995 Revision), U.S. Department of Health and Human Services, Public Health Service/Food and Drug Administration.

5) Procedures Governing the Cooperative State-Public Health Service/Food and Drug Administration Program for Certification of Interstate Milk Shippers (1995 Revision), U.S. Department of Health and Human Services, Public Health Service/Food and Drug Administration.

6) 3) The Standard Methods for the Examination of Dairy Products (16th 15th Edition, 1992 1985, American Public Health Association, 1015 - 18th Street, N.W., Washington, D.C. 20036). See Section 775.70(b).

7) 4) Official Methods of Analysis of the Association of Official Analytical Chemists (15th Edition, 1990, Association of Official Analytical Chemists, P.O. Box 540, Ben Franklin Station, Washington, D.C. 20044). See Section 775.70(b).

8) 5) 21 CFR 131.110 (1991). (See Section 775.10, the definition of "Milkfat and Nonfat Solid Content Standards.")

9) 6) Illinois Plumbing Code - 77 Ill. Adm. Code 890, Illinois Department of Public Health. (See Section 775.30(c)(4).)

10) 7) Minimum Qualifications for Public Health Personnel Employed by Full-time Local Health Departments - 77 Ill. Adm. Code 600.700 to 600.740, Illinois Department of Public Health. (See Section 775.740.)

11) 8) Rules of Practice and Procedure in Administrative Hearings - 77 Ill. Adm. Code 100, Illinois Department of Public Health. (See Section 775.90.)

12) 9) 21 CFR 556 (1991). (See Section 775.10, the definition of "Violative Drug Residue".)

13) 10) The Veterinary Medicine and Surgery Practice Act of 1983 (Ill. Rev. Stat., 1991, ch. 117, pars. 7801-et-seq.) [225 ILCS 115].

b) All incorporations by reference refer to the materials on the date specified and do not include any additions or deletions subsequent to the date specified.

c) All citations to federal regulations in this Part concern the specified regulation in the 1991 Code of Federal Regulations, unless another date is specified.

d) Copies of all incorporated materials are available for inspection and copying by the public at the Department's Central Office, Division of

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

Food, Drugs, and Dairies, 525 West Jefferson Street, Springfield, Illinois 62761.

(Source: Amended at 22 Ill. Reg. 20638, effective NOV 10 1998)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part:

Newborn Metabolic Screening and Treatment Code

2) Code Citation:

77 Ill. Adm. Code 661

3) Section Numbers:

661.70

Adopted Action:

Amendment

4) Statutory Authority:

Authorized by and implementing the Phenylketonuria Testing Act [410 ILCS 240].

5) Effective Date of Rules:

November 10, 1998

6) Does this Rulemaking Contain an Automatic Repeal Date? No7) Does this Rulemaking Contain any Incorporation by Reference? No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in agency's principal office and is available for public inspection.

9) Date Notice of Proposed Rulemaking was Published in the Illinois Register:

May 15, 1998; 22 Ill. Reg. 8368

10) Has the Joint Committee on Administrative Rules Issued a Statement of Objection to this Rulemaking: No

11) Difference Between Proposal and Final Version: There were no changes between the proposed and final versions.

12) Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee?

No changes to this rulemaking were requested by the Joint Committee.

13) Will the Rulemaking Replace an Emergency Rule Currently in Effect? No

14) Are there any other Amendments Pending on this Part? No

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

15) Summary and Purpose of Rulemaking:

This rulemaking increases the fee-for-service for Department analysis of a newborn screening from \$25.00 to \$32.00 per specimen. The fee increase will provide additional revenue for the development, implementation and maintenance of a computerized system for the transfer of client demographic information and screening results between hospitals and the Department. The additional revenue will also be used to purchase mass tandem spectrometers for diagnostic testing for PKU.

Information and Questions Regarding these Adopted Amendments shall be directed to:

Gail M. DeVito
Administrative Rules Coordinator
Division of Legal Services
535 West Jefferson
Fifth Floor
Springfield, Illinois 62761
(217) 782-2043
(rules@idph.state.il.us).

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER i: MATERNAL AND CHILD HEALTH

PART 661
NEWBORN METABOLIC SCREENING AND TREATMENT CODE

Section	
661.10	Responsibility
661.15	Definitions
661.20	Collection of Blood and Submission of Specimens
661.30	Interpretation of Results
661.35	Designation of Consultants
661.40	Reports
661.50	Diagnosis and Treatment
661.60	Exemption
661.70	Fee Assessment and Payment

AUTHORITY: Implementing and authorized by the Phenylketonuria Testing Act [410 ILCS 240].

SOURCE: Adopted December 14, 1973; emergency rules at 3 Ill. Reg. 28, p. 224, effective June 28, 1979, for a maximum of 150 days; rules repealed and new rules adopted at 3 Ill. Reg. 48, p. 42, effective November 20, 1979; amended at 5 Ill. Reg. 4593, effective April 15, 1981; amended and codified at 8 Ill. Reg. 19041, effective September 26, 1984; amended at 11 Ill. Reg. 12921, effective August 1, 1987; amended at 13 Ill. Reg. 15079, effective October 1, 1989; amended at 14 Ill. Reg. 13292, effective August 15, 1990; amended at 17 Ill. Reg. 13609, effective August 1, 1993; amended at 19 Ill. Reg. 15720, effective November 1, 1995; expedited correction at 20 Ill. Reg. 33590, effective November 1, 1995; amended at 22 Ill. Reg. 20639, effective NOV 1 1996.

Section 661.70 Fee Assessment and Payment

- Each person who submits to the Department any sample for newborn screening shall be assessed a fee of \$32 \$25-98 for such analysis unless specimens are requested by the Department for follow-up purposes.
- Statements of fee assessment shall be mailed to persons submitting specimens for analysis on a monthly basis.
- Payment shall be rendered to the Department upon receipt of the monthly statement of fee assessment.

(Source: Amended at 22 Ill. Reg. 20639, effective NOV 1 1996.)

STATE BOARD OF ELECTIONS

NOTICE OF EMERGENCY RULES

- Heading of Part: Procurement
- Code Citation: 44 Ill. Adm. Code 2600
- Sections Numbers: Emergency Action:
2600.10 New Section
- Statutory Authority: Implementing P.A. 90-572 and authorized by Section 1-30(a) of the Illinois Procurement Code [30 ILCS 500] and by Section 1A-8(9) of the Election Code [10 ILCS 5/1A-8(9)].
- Effective Date: November 6, 1998
- If these emergency rules are to expire before the end of the 150 day period, please specify the date on which they are to expire: The emergency rules will expire on the date of adoption of rules under the ordinary rulemaking process.
- Date Filed With Index Division:
- A copy of the adopted rule, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- Reason for Emergency: Prior to the effective date of P.A. 90-572 the State Board of Elections concluded that it would, for the purpose of rulemaking implementing the Illinois Procurement Code, be classed as among the code agencies responsible to the Governor of Illinois. After the effective date of the Act, the Board's General Counsel was informed by staff of the Joint Committee on Administrative Rules that sponsors of P.A. 90-572 were of the opinion that the State Board of Elections is a constitutional agency that P.A. 90-572 requires to promulgate procurement rules.
- A Complete Description of the Subjects and Issues Involved: Adopts rules promulgated by Central Management Services for procurement of goods and services, except where the rule incorporated by reference is on its face inapplicable to the State Board of Elections or is explicitly contradicted by this emergency rule.
- Are there any other proposed amendments pending on this Part? No
- Statement of Statewide Policy Objectives: The emergency rule adopted neither creates nor expands State mandates for units of local government.
- Information and Questions Regarding this Emergency Amendment Shall be Directed to:

STATE BOARD OF ELECTIONS

NOTICE OF EMERGENCY RULES

State Board of Elections
A. L. Zimmer, General Counsel
James R. Thompson Center
100 West Randolph Street
Suite 14-100
Chicago IL 60601
(312) 814-6477

The full text of the Emergency Rule begins on the next page:

STATE BOARD OF ELECTIONS

NOTICE OF EMERGENCY RULES

TITLE 44: GOVERNMENT CONTRACTS, PROCUREMENT
AND PROPERTY MANAGEMENT
CHAPTER 26: STATE BOARD OF ELECTIONS

PART 2600
PROCUREMENT

Section
2600.10 Procurement

EMERGENCY

AUTHORITY: Implementing P.A. 90-572 and authorized by Section 1-30(a) of the Illinois Procurement Code [30 ILCS 500] and by Section 1A-8(9) of the Election Code [10 ILCS 5/1A-8(9)].

SOURCE: Adopted by emergency rule at 22 Ill. Reg. **20642**, effective November 6, 1998, for a maximum of 150 days.

Section 2600.10 Procurement**EMERGENCY**

- a) The State Board of Elections adopts as its own such rules as may from time to time be promulgated at 44 Ill. Adm. Code 1 and 5000 by the Department of Central Management Services relating to procurement and to provisions for procurement contracts under the Illinois Procurement Code, excepting only any rule that is on its face inapplicable to the State Board of Elections or is contradicted by this Section.
- b) The Chief Procurement Officer of the State Board of Elections is the Director of Central Management Services. The Chief Fiscal Officer of the State Board of Elections is designated as the State Purchasing Officer with respect to purchases of goods and services by the State Board of Elections.

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

1) Heading of the Part: Meat and Poultry Inspection Act

2) Code Citation: 8 Ill. Adm. Code 125

3) Section Numbers: Peremptory Action:
125.340 Amended
125.400 Amended

4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute which Requires this Peremptory Rulmaking: The Meat and Poultry Inspection Act [225 ILCS 650]; the Federal Poultry Products Inspection Act (21 USCA 454); and 63 FR 48958.

5) Statutory Authority: The Meat and Poultry Inspection Act [225 ILCS 650]

6) Effective Date: November 16, 1998

7) A Complete Description of the Subjects and Issues Involved: In order to maintain an "equal to" status with the federal poultry products inspection program as required by the federal Poultry Products Inspection Act and in accordance with Section 16 of the Meat and Poultry Inspection Act, the Department is adopting amendments to the federal poultry products inspection rules.

The Food Safety and Inspection Service (FSIS) is amending the poultry products inspection regulations to "specify that the continuous immersion chilling of the front or rear portions of transversely-split carcasses is permitted." FSIS states that the change will "afford flexibility to poultry establishments in adopting efficient production techniques, such as on-line carcass splitting, that meet food safety performance standards." The specific federal regulations being amended are 9 CFR 381.66 and 381.170. The amendments appear at 63 FR 48958 (effective November 10, 1998).

8) Does this rulemaking contain an automatic repeal date? No

9) Date Filed with the Index Department: November 16, 1998

10) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

11) This rule is in compliance with Section 5-50 of the Illinois Administrative Procedure Act.

12) Are there any proposed amendments pending to this Part? Yes

Section Numbers Proposed Action Illinois Register Citation

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

125.40 Amendment 22 Ill. Reg. 16391
125.142 Amendment 22 Ill. Reg. 16391

13) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local governments.

14) Information and questions regarding this adopted rule, amendment, repealer shall be directed to:

Debbie Wakefield
Illinois Department of Agriculture
State Fairgrounds
P.O. Box 19281
Springfield, Illinois 62794-9281
217/785-5713
Facsimile: 217/785-4505

The full text of the Peremptory amendment begins on the next page:

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

TITLE 8: AGRICULTURE AND ANIMALS

CHAPTER I: DEPARTMENT OF AGRICULTURE

SUBCHAPTER c: MEAT AND POULTRY INSPECTION ACT

PART 125

MEAT AND POULTRY INSPECTION ACT

SUBPART A: GENERAL PROVISIONS FOR BOTH MEAT AND/OR
POULTRY INSPECTION

Section	
125.10	Definitions
125.20	Incorporation by Reference of Federal Rules
125.30	Application for License; Approval
125.40	Official Number
125.50	Inspections; Suspension or Revocation of License
125.60	Administrative Hearings; Appeals (Repealed)
125.70	Assignment and Authority of Program Employees
125.80	Schedule of Operations; Overtime
125.90	Official Marks of Inspection, Devices and Certificates
125.100	Records and Reports
125.110	Exemptions
125.120	Disposal of Dead Animals and Poultry
125.130	Reportable Animal and Poultry Diseases
125.140	Detention; Seizure; Condemnation
125.141	Sanitation Standard Operating Procedures (SOP's)
125.142	Hazard Analysis and Critical Control Point (HACCP) Systems
125.143	Imported Products

SUBPART B: MEAT INSPECTION

Section	
125.150	Livestock and Meat Products Entering Official Establishments
125.160	Equine and Equine Products
125.170	Facilities for Inspection
125.180	Sanitation
125.190	Ante-Mortem Inspection
125.200	Post-Mortem Inspection
125.210	Disposal of Diseased or Otherwise Adulterated Carcasses and Parts
125.220	Humane Slaughter of Animals
125.230	Handling and Disposal of Condemned or Other Inedible Products at Official Establishment
125.240	Rendering or Other Disposal of Carcasses and Parts Passed for Cooking
125.250	Marking Products and Their Containers
125.260	Labeling, Marking and Containers
125.270	Entry into Official Establishment; Reinspection and Preparation of Product
125.280	Meat Definitions and Standards of Identity or Composition

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

125.290	Transportation
125.295	Imported Products (Repealed)
125.300	Special Services Relating to Meat and Other Products
125.305	Exotic Animal Inspection

SUBPART C: POULTRY INSPECTION

Section	
125.310	Application of Inspection
125.320	Facilities for Inspection
125.330	Sanitation
125.340	Operating Procedures
125.350	Ante-Mortem Inspection
125.360	Post-Mortem Inspection; Disposition of Carcasses and Parts
125.370	Handling and Disposal of Condemned or Inedible Products at Official Establishments
125.380	Labeling and Containers
125.390	Entry of Articles into Official Establishments; Processing Inspection and Other Reinspections; Processing Requirements
125.400	Definitions and Standards of Identity or Composition
125.410	Transportation; Sale of Poultry or Poultry Products

AUTHORITY: Implementing and authorized by the Meat and Poultry Inspection Act [225 ILCS 650] and Section 16 of the Civil Administrative Code of Illinois [20 ILCS 5/16].

SOURCE: Adopted at 9 Ill. Reg. 1782, effective January 24, 1985; peremptory amendment at 9 Ill. Reg. 2337, effective January 28, 1985; peremptory amendment at 9 Ill. Reg. 2980, effective February 20, 1985; peremptory amendment at 9 Ill. Reg. 4856, effective April 1, 1985; peremptory amendment at 9 Ill. Reg. 10102, 9240, effective June 5, 1985; peremptory amendment at 9 Ill. Reg. 11673, effective June 13, 1985; peremptory amendment at 9 Ill. Reg. 11673, effective July 17, 1985; peremptory amendment at 9 Ill. Reg. 13748, effective August 23, 1985; peremptory amendment at 9 Ill. Reg. 15575, effective October 2, 1985; peremptory amendment at 9 Ill. Reg. 19759, effective December 5, 1985; peremptory amendment at 10 Ill. Reg. 447, effective December 23, 1985; peremptory amendment at 10 Ill. Reg. 1307, effective January 7, 1986; peremptory amendment at 10 Ill. Reg. 3318, effective January 24, 1986; peremptory amendment at 10 Ill. Reg. 3880, effective February 7, 1986; peremptory amendment at 10 Ill. Reg. 11478, effective June 25, 1986; peremptory amendment at 10 Ill. Reg. 14858, effective August 22, 1986; peremptory amendment at 10 Ill. Reg. 15305, effective September 10, 1986; peremptory amendment at 10 Ill. Reg. 16743, effective September 19, 1986; peremptory amendment at 10 Ill. Reg. 18203, effective October 15, 1986; peremptory amendment at 10 Ill. Reg. 19818, effective November 12, 1986; peremptory amendment at 11 Ill. Reg. 1696, effective January 5, 1987; peremptory amendment at 11 Ill. Reg. 2930, effective January 23, 1987; peremptory amendment at 11 Ill. Reg. 9645, effective April 29, 1987; peremptory amendment at 11 Ill. Reg.

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

10321, effective May 15, 1987; peremptory amendment at 11 Ill. Reg. 11184, effective June 5, 1987; peremptory amendment at 11 Ill. Reg. 14830, effective August 25, 1987; peremptory amendment at 11 Ill. Reg. 18799, effective November 3, 1987; peremptory amendment at 11 Ill. Reg. 19805, effective November 19, 1987; peremptory amendment at 12 Ill. Reg. 2154, effective January 6, 1988; amended at 12 Ill. Reg. 3417, effective January 22, 1988; peremptory amendment at 12 Ill. Reg. 4879, effective February 25, 1988; peremptory amendment at 12 Ill. Reg. 6313, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 6819, effective March 29, 1988; peremptory amendment at 12 Ill. Reg. 13621, effective August 8, 1988; peremptory amendment at 12 Ill. Reg. 19116, effective November 1, 1988; peremptory amendment at 12 Ill. Reg. 20894, effective December 21, 1988; peremptory amendment at 13 Ill. Reg. 228, effective January 11, 1989; peremptory amendment at 13 Ill. Reg. 2160, effective February 13, 1989; amended at 13 Ill. Reg. 3696, effective March 13, 1989; peremptory amendment at 13 Ill. Reg. 15853, effective October 5, 1989; peremptory amendment at 13 Ill. Reg. 16838, effective October 11, 1989; peremptory amendment at 13 Ill. Reg. 17495, effective January 18, 1990; amended at 14 Ill. Reg. 3424, effective February 26, 1990; peremptory amendment at 14 Ill. Reg. 4953, effective March 23, 1990; peremptory amendment at 14 Ill. Reg. 11401, effective July 6, 1990; peremptory amendment at 14 Ill. Reg. 13355, effective August 20, 1990; peremptory amendment at 14 Ill. Reg. 16064, effective September 24, 1990; peremptory amendment at 14 Ill. Reg. 21060, effective May 29, 1991; peremptory amendment at 15 Ill. Reg. 620, effective January 2, 1991; peremptory amendment withdrawn at 15 Ill. Reg. 1574, effective January 2, 1991; peremptory amendment at 15 Ill. Reg. 3117, effective September 3, 1991; peremptory amendment at 15 Ill. Reg. 8714, effective May 29, 1991; amended at 15 Ill. Reg. 8801, effective June 7, 1991; peremptory amendment at 15 Ill. Reg. 13976, effective September 20, 1991; peremptory amendment at 16 Ill. Reg. 1899, effective March 2, 1992; amended at 16 Ill. Reg. 8349, effective May 26, 1992; peremptory amendment at 16 Ill. Reg. 11687, effective July 10, 1992; peremptory amendment at 16 Ill. Reg. 11963, effective July 22, 1992; peremptory amendment at 16 Ill. Reg. 12234, effective July 24, 1992; peremptory amendment at 16 Ill. Reg. 16337, effective October 19, 1992; peremptory amendment at 16 Ill. Reg. 17165, effective October 21, 1992; peremptory amendment at 17 Ill. Reg. 2063, effective February 12, 1993; peremptory amendment at 17 Ill. Reg. 15725, effective September 7, 1993; peremptory amendment at 17 Ill. Reg. 16238, effective September 8, 1993; peremptory amendment at 17 Ill. Reg. 18215, effective October 5, 1993; peremptory amendment at 18 Ill. Reg. 304, effective December 23, 1993; peremptory amendment at 18 Ill. Reg. 2164, effective January 24, 1994; amended at 18 Ill. Reg. 4622, effective March 14, 1994; peremptory amendment at 18 Ill. Reg. 6442, effective April 18, 1994; peremptory amendment at 18 Ill. Reg. 8493, effective May 27, 1994; amended at 18 Ill. Reg. 11489, effective July 7, 1994; peremptory amendment at 18 Ill. Reg. 12546, effective July 29, 1994; peremptory amendment at 18 Ill. Reg. 14475, effective September 7, 1994; amended at 18 Ill. Reg. 14924, effective September 26, 1994; peremptory amendment at 18 Ill. Reg. 15452, effective September 27, 1994; peremptory amendment at 19 Ill. Reg. 1342, effective January 27, 1995; peremptory amendment at 19 Ill. Reg. 4765, effective March 13, 1995; peremptory

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

amendment at 19 Ill. Reg. 7067, effective May 8, 1995; peremptory amendment at 19 Ill. Reg. 14896, effective October 6, 1995; peremptory amendment at 19 Ill. Reg. 15766, effective November 10, 1995; peremptory amendment at 19 Ill. Reg. 16866, effective December 22, 1995; peremptory amendment at 20 Ill. Reg. 5091, effective March 19, 1996; peremptory amendment at 20 Ill. Reg. 10403, effective July 17, 1996; amended at 20 Ill. Reg. 11928, effective September 1, 1996; peremptory amendment at 20 Ill. Reg. 12634, effective September 5, 1996; peremptory amendment at 20 Ill. Reg. 15371, effective November 13, 1996; peremptory amendment at 21 Ill. Reg. 1221, effective January 14, 1997; peremptory amendment at 21 Ill. Reg. 1719, effective January 28, 1997; peremptory amendment at 21 Ill. Reg. 6609, effective May 20, 1997; amended at 21 Ill. Reg. 11494, effective August 1, 1997; peremptory amendment at 21 Ill. Reg. 11788, effective August 8, 1997; peremptory amendment at 21 Ill. Reg. 12886, effective August 28, 1997; peremptory amendment at 21 Ill. Reg. 14575, effective October 22, 1997; peremptory amendment at 22 Ill. Reg. 3602, effective February 2, 1998; peremptory amendment at 22 Ill. Reg. 5740, effective March 5, 1998; peremptory amendment at 22 Ill. Reg. 9384, effective May 15, 1998; peremptory amendment at 22 Ill. Reg. _____, effective November 16, 1998.

SUBPART C: POULTRY INSPECTION

Section 125.340 Operating Procedures

- a) The Department incorporates by reference 9 CFR 381.65 through 381.66 (1997); 62 FR 5139, effective May 5, 1997; 63 FR 48958, effective November 10, 1998.
- b) The bar-cut method of evisceration shall not be used.
- c) Cut-up poultry may be processed from unchilled eviscerated poultry only in air conditioned rooms (50 degrees F. or less).
- d) The meltage of ice in the chilling system shall be counted toward the minimum fresh water intake requirements provided an accurate measurement of the amount of melted ice can be obtained.
- e) Reference to the Poultry Inspector's Handbook shall mean the "Meat and Poultry Inspection Manual" as adopted by the Department in Section 125.20.
- f) The Department shall approve the shipment of poultry in operational type containers, such as chill tanks or lugs, from one official establishment to another official establishment for further processing provided the means of conveyance is sealed and the poultry can reach its destination in accordance with the general chilling requirements as stated in this Section (see 9 CFR 381.66(b)).
- g) Ready-to-cook poultry shall be permitted to be moved from an official establishment prior to freezing in accordance with the specific requirements as stated in 9 CFR 381.66(f)(3).
- h) Compounds used in immersion or spray freezing procedures shall be those that are listed in the "List of Proprietary Substances or Nonfood Compounds" as adopted by the Department in Section 125.20.

DEPARTMENT OF AGRICULTURE

NOTICE OF PEREMPTORY AMENDMENTS

(Source: Peremptory amendment at 22 Ill. Reg. _____, effective November 16, 1998)

Section 125.400 Definitions and Standards of Identity or Composition

- a) The Department incorporates by reference 9 CFR 381: Subpart P (1997) 163 FR 48958, effective November 10, 1998.
- b) Cooling of poultry shall be in accordance with the provisions set forth in Section 125.330.
- c) Definitions and standards of identity or composition for poultry products shall be as set forth in this Section and in Section 13(d) of the Act.

(Source: Peremptory amendment at 22 Ill. Reg. _____, effective November 16, 1998)

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of November 10, 1998 through November 16, 1998 and have been scheduled for review by the Committee at its December 15, 1998 meeting in Chicago. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	Start Of First Notice	JCAR Meeting
12/24/98	Illinois Commerce Commission, Tariff Filings (83 Ill Adm Code 745)	6/26/98 22 Ill Reg 10951	12/15/98
12/24/98	Department of Human Services, Customer Financial Participation (89 Ill Adm Code 562)	9/18/98 22 Ill Reg 16410	12/15/98
12/24/98	Department of Human Services, Comparable Benefits (89 Ill Adm Code 567)	9/4/98 22 Ill Reg 15894	12/15/98
12/24/98	Department of Human Services, Closure (89 Ill Adm Code 617)	9/4/98 22 Ill Reg 15887	12/15/98
12/27/98	Secretary of State, Procedures and Standards (92 Ill Adm Code 1001)	9/25/98 22 Ill Reg 16989	12/15/98
12/30/98	Department of Human Services, Determination of Need (DON) and Resulting Service Cost Maximums (SCMs) (89 Ill Adm Code 679)	9/4/98 22 Ill Reg 15899	12/15/98

PROCLAMATIONS

98-611

GRIZ ENGLAND DAY

Whereas, Griz England began his radio career at WFWA-FM in Sullivan, Illinois, in 1973; and

Whereas, after 10 years with WFWA-FM, Griz moved to WDZQ-FM in Decatur, Illinois; and

Whereas, Griz solidified his legendary status as a Country Music broadcaster during his years as morning show host in Decatur; and

Whereas, Griz was instrumental in the 1992 launch of a new country radio station, WYDS-FM, in Decatur where he has been the only morning show personality and Program Director; and

Whereas, Griz has received numerous awards during his 25 year career including the Country Music Personality of the Year from the Illinois Country Music Association and the Silver Dome award from the Illinois Broadcasters Association; and

Whereas, Griz has raised thousands of dollars for numerous causes throughout central Illinois and the nation;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 30, 1998, as GRIZ ENGLAND DAY in Illinois.

Issued by Governor, October 22, 1998.

Filed by Secretary of State, November 6, 1998.

98-612

NATIONAL BLACK EMPLOYERS ASSOCIATION DAY

Whereas, the National Black Employers Association will hold its annual conference in Illinois November 13-15; and

Whereas, the National Black Employers Association will offer participants an opportunity to collaborate, share ideas and take part in workshops; and

Whereas, the National Black Employers Association will feature Paul Allure, CEO and Chairman of the Board for the Xerox Corporation; Addison Barry Rand, Executive Vice President of the Xerox Corporation; and Vernon E. Jordan Jr., member of the Xerox Board of Directors as speakers;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 13, 1998, as NATIONAL BLACK EMPLOYERS ASSOCIATION DAY in Illinois.

Issued by Governor, October 22, 1998.

Filed by Secretary of State, November 6, 1998.

98-613

COMMUNITY EDUCATION DAY

Whereas, education is the prerogative and responsibility of all members in the community; and

Whereas, community members and community institutions working collaboratively can improve the support systems that undergrid a vital, learning community; and

Whereas, the citizens of Illinois are committed to providing learning opportunities for everyone in the community; and

Whereas, community education espouses lifelong learning and the idea that

local people are in the best position to identify community needs and wants; and

Whereas, the theme of Triton College's National Community Education Day in 1998 is "Celebrating Partnerships";

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 6, 1998, as COMMUNITY EDUCATION DAY in Illinois.

Issued by Governor, October 23, 1998.

Filed by Secretary of State, November 6, 1998.

98-614

FAMILY AND CONSUMER SCIENCES WEEK

Whereas, the Illinois Association of Family and Consumer Sciences (IAFCS) will be holding its 1998 Annual Conference November 5-7; and

Whereas, the IAFCS provides information on how new national standards for family and consumer services will affect both educators and employers; and

Whereas, the IAFCS provides information on how we raise our children, on how we teach, on community programs and on many other topics; and

Whereas, IAFCS stresses the importance of public involvement for family and consumer sciences professionals as they work towards solving community and intergenerational issues; and

Whereas, individuals are taught how they can make a difference in the workplace, school, community and family through IAFCS activities;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 1-7, 1998, as FAMILY AND CONSUMER SCIENCES WEEK in Illinois.

Issued by Governor, October 23, 1998.

Filed by Secretary of State, November 6, 1998.

98-615

ARAB AMERICAN MONTH

Whereas, there are more than 400,000 Illinois residents of Arab descent, both Muslim and Christian faiths, who have chosen Illinois as their home and have proudly shared their culture, heritage and talents with our state; and

Whereas, citizens of Arab descent have contributed in all walks of life, including education, science, culture, business, medicine and the civic well-being of our nation and of our community; and

Whereas, Arab Americans have made contributions to our society and have included among their ranks such notable Americans as: Michael DeBakey, the first heart transplant surgeon; John Sununu, Chief of Staff to President Bush;

Senator George Mitchell, former majority leader and chief negotiator for Ireland's Peace Conference; the late Sharon Christa McAuliffe, teacher and American patriot who was among the victims of the Space Shuttle Challenger disaster; Casey Kassem, popular music radio host; Danny Thomas, well-known TV sitcom actor, entertainer and founder of St. Jude Children's Research Hospital;

Kathy Najimy, movie actress; and many other Arab Americans who serve as positive role models in our society; and

Whereas, many Arab Americans have also served in the Armed Forces of the United States, including World War II, the Korean War and the Vietnam War; and

Whereas, the State of Illinois is a diverse community composed of many ethnic cultures including the rich Arab American culture;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim

Reschke at the Chicago Hilton & Towers;
Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim
November 12, 1998, as PARTNERS HOME CARE DAY in Illinois.
Issued by Governor, November 2, 1998.
Filed by Secretary of State, November 6, 1998.

98-619
R.C. SMITH DAY

Whereas, R.C. Smith has served Macon County and the Macon County Board; and
Whereas, R.C. Smith has served Illinois and the United States in the U.S.
Air Force; and
Whereas, R.C. Smith has held numerous offices including Chairman and Vice
Chairman of the Macon County Board, Long Creek Township Clerk and Trustee of
the Macon County 708 Mental Health Board; and
Whereas, R.C. Smith has been supported by his wife, Wanda, his three
children Patty, Randy and Bryan, and his two grandchildren; and
Whereas, R.C. Smith is retiring after 28 years of service to Macon County
and the Macon County Board;
Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim
November 12, 1998, as R.C. SMITH DAY in Illinois.
Issued by Governor, November 2, 1998.
Filed by Secretary of State, November 6, 1998.

98-620
SNUG HUGS FOR KIDS DAYS

Whereas, Snug Hugs for Kids is an annual event designed to help
underprivileged children obtain much-needed winter clothing and underwear; and
Whereas, this effort has donated as much as 25,000 pounds of new coats,
gloves, mittens, hats, scarves, and boots to these children through the
Children's Home and Aid Society of Illinois, which serves more than 40,000
families in the Chicagoland area; and
Whereas, the Society provides adoption, foster care, day care, residential
treatment, child and family counseling, research, and professional training
programs in the Chicago area and 40 counties throughout Illinois; and
Whereas, Snug Hugs for Kids challenges employees and volunteers as well as
community leaders to participate in this cause, thereby furthering the efforts
to help those in need within our own communities; and
Whereas, drop boxes will be located at different locations throughout the
Chicago area from November 1-December 10, 1998, in order for people to donate
clothing;
Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim
November 1-December 10, 1998, as SNUG HUGS FOR KIDS DAYS in Illinois.
Issued by Governor, November 2, 1998.
Filed by Secretary of State, November 6, 1998.

98-621
COMMUNITY BEHAVIORAL HEALTHCARE WEEK

Whereas, in 1973, the Community Behavior Healthcare Association of Illinois,
then known as the Illinois Association of Community Mental Health Agencies, was

November 1998 as ARAB AMERICAN MONTH in Illinois, and urge all members of our
community to join in recognition of this occasion.
Issued by Governor, October 29, 1998.
Filed by Secretary of State, November 6, 1998.

98-616
KEY CLUB WEEK

Whereas, Key Club is a community service organization that is sponsored by
Kiwanis International; and
Whereas, Key Club works with Illinois high school students to establish and
maintain different service programs; and
Whereas, Key Club and Kiwanis work together to raise money for the fight
against Iodine Deficiency Disorder; and
Whereas, the Illinois-Eastern Iowa District of Key Club raises money and
supports Spastic Paralysis research efforts;
Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim
November 1-7, 1998, as KEY CLUB WEEK in Illinois.
Issued by Governor, November 2, 1998.
Filed by Secretary of State, November 6, 1998.

98-617
PARALYZED VETERANS RECOGNITION DAY

Whereas, America would not be the great, free nation it is today if it were
not for the citizens who came to its defense in times of conflict; and
Whereas, none who serve their country ever forget the experience, but some
made sacrifices that forever altered their lives; and
Whereas, special events are being observed at this time to recognize the men
and women who have served in the Armed Forces and experienced paralysis; and
Whereas, in Illinois, the Vaughan Chapter of the Paralyzed Veterans of
America is holding a celebration at Hines Medical Center in conjunction with
the national observance;
Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim
November 12, 1998, as PARALYZED VETERANS RECOGNITION DAY in Illinois, and urge
all citizens to remember those who have served our country and suffered
irreparable harm and recognize them at this time.
Issued by Governor, November 2, 1998.
Filed by Secretary of State, November 6, 1998.

98-618
PARTNERS HOME CARE DAY

Whereas, Partners Home Care was established in 1976 to provide comprehensive
medical and social services to maintain elderly individuals in their own homes
as an alternative to hospitalization or nursing home placement; and
Whereas, Partners Home Care provides more than 96,000 visits to some 1,900
patients each year with the help of 165 professionals and 100 volunteers; and
Whereas, the Partners Home Care Foundation was formed to raise funds to
support the Long Term Care Program of Partners Home Care; and
Whereas, the foundations board will sponsor its annual Honorable & Mrs.
William G. Stratton Humanitarian of the Year Award Dinner honoring Michael W.

formed to represent the interests of its members in a variety of forums; and Whereas, the Community Behavioral Healthcare Association of Illinois' vision is to ensure access and availability of a comprehensive system of accountable quality behavioral health care services for the people of Illinois; and Whereas, the Community Behavioral Healthcare Association of Illinois has assisted its members in carrying out their mission for the citizens of Illinois for 25 years; and

Whereas, the Community Behavioral Healthcare Association of Illinois continues to be a primary partner and advocate for quality behavioral health care services for the people of Illinois;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim December 14-18, 1998, as COMMUNITY BEHAVIORAL HEALTHCARE WEEK in Illinois.

Issued by Governor, November 4, 1998.

Filed by Secretary of State, November 6, 1998.

98-622

VETERANS DAY

Whereas, the men and women who have served in the Armed Forces of the United States of America have made major contributions toward the preservation of the freedom of this nation and its people; and

Whereas, the services performed by these millions of gallant Americans have demonstrated the willingness of our nation and its people; and

Whereas, the Congress of the United States of America has designated the 11th day of November of each year as Veterans Day; and

Whereas, Veterans Day has become a significant part of our national heritage as we recognize the important contributions of the millions of our citizens whose military service has had a profound effect on history; and

Whereas, the unselfishness of all those who served in the United States Armed Forces is a quality for which we are all grateful; and

Whereas, all servicemen and women are invited to wear their service hats this Veterans Day and on all future Veterans Days to honor their fellow servicemen and women who gave their lives to preserve the freedom we now enjoy;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 11, 1998, as VETERANS DAY in Illinois in conjunction with the national observance. I ask that the day be observed with appropriate ceremonies in honor of those who have served the national purpose to preserve the principles of justice, freedom, and democracy.

Issued by Governor, November 4, 1998.

Filed by Secretary of State, November 6, 1998.

Rules acted upon during the period from October 16 (Issue 42, 1998) through December 28, 1998 (Issue 52) are listed in the Issues Index by Title number, Part number and Issue number. For example, 50 Ill. Adm. Code 4401 published in Issue 40 will be listed as 50-4401-40. The letter "R" designates a rule that is being repealed. Inquiries about the Issues Index may be directed to the Administrative Code Division at 217-782-4414 or jntalea@ccgate.sos.state.il.us (Internet address).

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